

Tory interest rate dispute deepens

Major ready to defer election to help Lamont

By ROBIN OAKLEY AND PHILIP WEBSTER

THE prime minister has let it be known that he is prepared to wait until next year before calling a general election, reducing the pressure on Norman Lamont to push on fast with interest rate cuts.

There are growing demands from Conservative MPs for the chancellor to bring down rates to stimulate business activity and curb unemployment. The pressure is likely to be intensified with the government's expected loss today of the Monmouth by-election.

Nicholas Budgen, one of the most rigorous monetarists on the Conservative benches, said last night: "The chancellor is justified in dropping interest rates as soon as he can. All the important indicators of money supply and credit indicate that the squeeze is too tight."

The chancellor's position has been complicated, however, by the intervention on Tuesday of Robin Leigh-Pemberton, the governor of the Bank of England. There is

a recognition both in Downing Street and at Conservative Central Office that it would be dangerous for Mr Lamont to appear to be cutting rates for political reasons. Ministers, who fear repercussions within the European exchange-rate mechanism and market reaction if he were seen to be acting too politically, say he must be seen to be free to take such decisions on purely economic grounds.

There is some anxiety within the government about Mr Leigh-Pemberton's warning against "siren voices" calling for lower interest rates to stimulate economic activity. It is accepted at the highest levels within government that his strictures were aimed at the international community of finance ministers in the wake of American calls for a concerted effort to reduce rates. But many ministers and MPs feel that there is a good economic case for a rates cut and they do not want the Treasury to be frightened off.

Chris Patten, the Conservative chairman, is anxious to use tomorrow's announcement of a sharp drop in inflation to set off a new positive phase in his party's fortunes. He is said to be keen to see early interest rate cuts to bring down mortgage payments and induce a feeling of economic wellbeing, so keeping open the option of an October election. But party sources deny that he is pressing the chancellor and acknowledge that this week's producer prices index figures may make the chancellor reluctant to act too soon. The Treasury has counselled against moving too far too fast. Rates may come down in halves, officials say, but if it is done too quickly they have to go back up in ones.

Some ministers are pressing for a tight strategy for an October contest, but they need the interest rate cuts to boost economic optimism. Mr Major has been making clear to friends that he will not be rushed into committing him-

self to an autumn election and that he is quite ready to soldier on into next year if necessary to await the conditions that would give the Conservatives a fourth victory.

Paddy Ashdown, the Liberal Democrat leader, said the governor's speech was a sure sign that the Bank had lost confidence in the government's anti-inflation stance. The siren voices were those of Mr Major and Mr Lamont, he said. "It is they who are responsible for the government's economic mismanagement. They are now playing with inflationary fire."

John Smith, the shadow chancellor, claimed meanwhile that government promises to maintain and improve vital public services could not be squared with its commitment to cut the standard rate of income tax from 25p to 20p in the pound. He told a Westminster press conference: "They must either repudiate the pledge to cut the basic rate of tax to 20p or admit that they will either give less to public services or find the revenue from other taxes, such as VAT."

As the election sparring over the parties' tax and spending plans moved to the Commons, David Mellor, the chief secretary to the Treasury, cheered the Tories with a virtuoso performance hailed as one of the best by a minister in recent years.

Mr Mellor had Conservatives shouting "More" as he detailed Labour's spending promises and claimed that any Labour government would be led inevitably to increased taxes even for those on average earnings. "With Labour's expenditure plans, the average taxpayer is going to find himself crossing more thresholds than Elizabeth Taylor or Zsa Zsa Gabor," he declared. He accused Mr Smith of producing "more doggy figures than a weight watchers' convention".

Spending debate, page 7
Political sketch, page 24

40 bidders emerge for ITV franchises

By MELINDA WITTSTOCK, MEDIA CORRESPONDENT

THE noon deadline for what promised to be the biggest, most significant and most hotly-contested ITV franchise round passed yesterday with just 40 bidders emerging for the 16 new Channel 3 licences.

Lorry-loads of the thousand-page applications were delivered yesterday to the Independent Television Commission, which has until October to announce the winners, ultimately those that submit the highest cash bid.

The commission must first pore over highly-detailed programme plans, eliminating all bidders that do not pass the "quality threshold" before it opens the sealed cash bids in August. The results of the contest, which has been described as a lottery by many television executives critical

of the new blind tender process, will determine what appears on ITV screens from 1993 to 2003.

Yesterday only three of the incumbents - Central Independent Television, Border Television and Scottish Television - emerged unchallenged. TVS Entertainment, Thames Television, TV-am, Anglia and HTV, long seen as the most vulnerable to rival bidders, attracted the most challenges.

Challengers for the national breakfast-time licence are Daybreak Television, the backers of which include The Daily Telegraph, ITN and the former BBC chief Sir Paul Fox; Sunrise Television Ltd; and the present licence holder, TV-am.

The challengers, page 2



Historic choice: Edith Cresson, the first woman prime minister of France, dancing with Laurent Fabius, president of the French National Assembly

Lung cancer may be blocked by gene

Some heavy smokers may escape lung cancer because their bodies have a 'suppressor' gene. Nigel Hawkes reports

American research workers believe they have discovered why some people avoid contracting lung cancer despite a lifetime of heavy smoking.

Yesterday, the annual meeting of the American Association for Cancer Research, in Houston, Texas, was told of the discovery of a gene that may be a key to prevention of lung cancer. The gene makes a cancer-suppressing enzyme that prevents cells from multiplying and forming tumours.

Researchers at the Fels Institute for Cancer Research and Molecular Biology, in Philadelphia, have discovered that patients suffering from lung cancer lack this gene. Carlo Croce, of the institute, presenting the findings, said that he considered the newly-found gene a strong candidate for the long-sought "tumour-suppressor" gene thought to determine why some people smoke for years without apparent damage, while others die from lung cancer.

The discovery may make it possible to screen people for the gene to determine whether they are prone to lung cancer. Alternatively, it might be used as a form of gene therapy, giving lung cancer patients the means of creating the cancer-suppressing enzymes they lack.

The gene found by Dr Croce and fellow researchers is on chromosome 3.

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TV ban, page 5
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Science, page 34

Meeting at No 10 ends Ulster talks deadlock

By RICHARD FORD AND TIM JONES

A COMPROMISE reached after 90 minutes of talks between John Major and Ulster Unionist leaders last night saved the Anglo Irish talks initiative from imminent breakdown.

The government was optimistic that the process begun fifteen months ago by Peter Brooke was still on the rails after the prime minister appeared to the Unionist leaders to "stretch the limits of tolerance" in the quest for a settlement to end this "running sore". Last night Mr Brooke emphasised the delicate stage the talks have reached. He also made public the ultimatum he had presented earlier. Under this the opening talks would be held in London but most of phase two would be in Ulster with a June meeting in Dublin. The identity of the independent chairman would be announced by London and Dublin after consultations with the other parties involved.

After the Unionists' conditional agreement to Mr Brooke's formula for progress the Northern Ireland secretary will consult the other political parties and the Irish government in the hope that an acceptable basis has been found for the first all party talks to go ahead on Monday.

The moves came after an impassioned plea from the prime minister to break the political stalemate and to

avoid opening the door to violence. Speaking in the cabinet room, damaged by the IRA attack last February, Mr Major said: "All my adult political life Northern Ireland has been a place where there have been suspicions and violence. That violence has shown itself here in this room once and in Northern Ireland many times."

Mr Major said there was reason now to be more hopeful than for many years. He accepted the pressures all the parties were under and reaffirmed the constitutional agreement that Northern Ireland would remain a part of the United Kingdom for as long as the majority wished it.

A senior government source said: "It now looks as if, subject to these conditions and assuming others agree to them, the talks can go ahead". The areas of doubt remaining after the discussions between Mr Major and James Molyneux and the Rev Ian Paisley were the identity of the independent chairman to preside over stage two of the process when the Irish government becomes involved and the location in Northern Ireland for these talks.

Mr Brooke said that the Unionists' preoccupation was that if there was to be an independent chairman, who might well be from outside these islands, they would be putting issues of Northern

Ireland out to international arbitration. The prime minister gave them a categorical assurance on that.

The Unionists denied they had demanded that the Irish government indicate it was willing to remove from its constitution the territorial claim to the province. However, the prime minister went some way to assuage their misgivings by quoting an earlier comment by the Northern Ireland secretary that Articles 2 and 3 in the Irish constitution were unhelpful.

Although the Unionist leaders said they were willing to attend an opening plenary session of Northern Ireland's political parties at Stormont on Monday, there were doubts last night whether the government would be willing to open stage one of the talks without prior agreement on the identity of the independent chairman and the venue in Northern Ireland for the second strand of the discussions.

Diary, page 18
Leading article, page 19

First woman premier in France

From PHILIP JACOBSON IN PARIS

THE first woman prime minister of France took office yesterday when Edith Cresson was appointed by President Mitterrand after the resignation of Michel Rocard. Twenty-four hours of rumours that she was the Elysée Palace's front-runner came to a head with a three-sentence communiqué that changed French history.

An ally of the president, Mme Cresson, aged 57, takes over a Socialist government in deep trouble, lacking a working majority in the National Assembly and braced for economic problems. Her previous experience in several cabinet posts, plus a reputation for toughness and hard work will be put to the test.

The departure of M Rocard almost exactly three years

Continued on page 24, col 5
Bigger battle, page 13
Fearless fighter, page 18

Law Society backing for marriage contracts

By FRANCES GIBB, LEGAL AFFAIRS CORRESPONDENT

THE Law Society is proposing that couples be able to draw up legally enforceable agreements before marriage setting out how they would divide their possessions in the event of a divorce.

Binding pre-marriage contracts are common in France, Sweden and America but in Britain agreements made before marriage are not legally enforceable.

The Law Society recommends that it be mandatory for each party to receive

independent legal advice before signing any contract. Those entered into without legal advice would be unenforceable and the birth of children would cause the contract to be revoked or revised.

It is proposed that in Britain the contracts should extend only to material assets and liabilities, although in America they can cover sexual relationships and division of household chores.

Full story, page 5

Brecht's heir alienates him from Berlin stage

From ANNE McELVOY IN BERLIN

Times change. The boundless ambitions of the mighty grind to a halt. — Bertolt Brecht's *Song of the Moldau* from *Schwepk in the Second World War*.

BERTOLT Brecht could be about to disappear from the stages of Berlin after a 40-year tradition of revolutionary theatre because of an unseemly dispute between the city authorities and the playwright's heirs.

The problem is due in no small part to Brecht's formidable daughter, Barbara Brecht-Schall, his main heir and literary executor. She is furious at a decision to replace Manfred Wekwerth, director of the Berliner Ensemble, with a western candidate and restructure it as the conditions for taking over the East German government subsidies. Frau Brecht-

Schall has threatened to withdraw all performance rights to her father's plays if the Senate imposes a candidate and terms without her approval.

The stalemate could result in the absurd scenario of no more Brecht plays being performed in the theatre he intended to provide a lasting forum for his work. Frau Brecht-Schall is notorious for her intervention, often interfering with casting and laying down the range of interpretation allowed actors with a cry that sends shivers down the spines of directors everywhere: "Papa would not have liked that."

Ulrich Roloff-Momin, Berlin's cultural senator, says that if Frau Brecht-Schall forbids a performance of Brecht in the Ensemble, he will seek a boycott of the plays in other theatres. "I am not prepared to make the theatre dependent on a private person," he said. "This

could lead to a situation where no Brecht plays are performed in Berlin at all.

Gone are the good old days when the theatre enjoyed the favour of the communist leaders, together with the kid-glove treatment afforded to Brecht's legacy. The Ensemble needs 30 million marks (£10 million) in subsidies to survive. A western director is already under consideration. Herr Wekwerth, a pupil of Brecht and director of the theatre since 1977, has been told to leave by the end of July. He will bid farewell with his premiere of *Schwepk* tomorrow.

The theatre has fallen prey to the East German regime's desire to institutionalise its cultural heroes. The result has been years of unexciting productions featuring the same old faces that, with distinct weariness, churned out the lines with which Brecht hoped to change the world. Critics called it a mausoleum.



Brecht-Schall: notorious for her intervention

TODAY IN THE TIMES

POLITICS



Mary Ann Sleggart tests the water of public opinion on the candidates vying for victory in the Monmouth by-election Page 6

SCIENCE



Nigel Hawkes reports on a new fire-fighting system that could provide "safe havens" for passengers in burning aircraft Page 34

HEALTH



Dr Thomas Stuttaford considers whether asthma sufferers could stave off attacks by changing their choice of reading Page 15

INSIDE

Man cleared

A man accused of stabbing to death a mugger who attacked him was acquitted of murder. The jury rejected claims that he was a vigilante Page 3

Meat gets chop

Adults are giving up meat and fish at the rate of around 30,000 a week, it was claimed yesterday Page 8

Gooch analysis

Spotlight on the motivation and contradiction behind the England cricket captain, Graham Gooch Page 38

Election blocked

Communist Serbia yesterday blocked the election of Stipe Mesić of Croatia as Yugoslavia's first non-Communist president Page 13

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Screen scramble: Lord Prior, chairman of Three East, challenger for Anglia's franchise, arriving at the Independent Television Commission; David Frost and Richard Branson, of Greater London Television, Thames challengers, at St Paul's cathedral; and Harry Turner, managing director of Television South West, which is facing challenges from two groups, Telewest and Westcountry Television

Promises fly thick and fast in the contest for ITV contracts

By MELINDA WITTSTOCK, MEDIA CORRESPONDENT

BLEARY-EYED television executives competing in a blind tender for the new Channel 3 licences deposited thousands of pages of promises at the back door of the Independent Television Commission at noon yesterday.

ITV companies and their challengers strove to assure journalists that their talent, programme plans, management teams and financial backers were the best for the health of the Channel 3 system, although the awarding of franchises for the ten years from 1993 will ultimately be dictated by the size of the cash bids under lock and key until August in the ITC's safe.

The main contests are taking place in the South, where advertising revenue is buoyant, and the main challengers are slim-line "publisher-contractors" who believe they can switch resources from studios and salaries by hiring independent producers.

Michael Green's Carlton Communications, using its £150 million reserves to challenge Thames Television and TVS Entertainment,

plans to employ 400 staff, compared with the 1,450 at Thames and 790 at TVS. Nigel Walsley, Carlton's chief executive, said: "As a publisher-broadcaster, we have the flexibility to find and invest in the best talent."

Mr Walsley said Carlton would spend £80 million a year on original programmes, offering 500 hours of new output to the ITV network, in addition to the 420 hours of regional output planned for London and 700 hours for the South and South-East.

Thames, which boasts the largest share of advertising revenue and the most hours of programmes broadcast on the national network, is also facing a challenge from CPV-TV, another "publisher-broadcaster" consortium, put together by Richard Branson's Virgin, David Frost and Charterhouse Bank.

CPV-TV, also challenging Anglia and the vulnerable TVS, says its philosophy is based on the success of Channel 4, which commissions half of its output from independent producers. The chal-

lenger has already signed deals with 15 independents and promises, like Carlton, to greatly improve on the regional news and current affairs output of Thames and TVS.

Richard Dunn, chairman and managing director of Thames, dismissed the idea that a company bidding with 1,230 staff is automatically more expensive than someone bidding with 400. "The costs are still there, whether they are taken in-house or not," Thames will have cut its workforce from 2,244 in 1986 to 1,230 in 1993. It is offering 500 hours of output to the network, including 80 existing shows such as *The Bill*, *Wish You Were Here*, *This is Your Life* and *This Week* and more than 90 new programmes.

LWT is facing a challenge from three of London's biggest independent producers. Mentorn, Palace and Working Title, led by PolyGram, the record company. London Independent Broadcasting has pledged 250 hours of quality drama and light entertainment to the network each year, half of which will come

from independents. "We're going to be producer-led, not star-led," said Tom Gutteridge, chairman of Mentorn, which makes *Challenge Anneka* for the BBC, *Ol For London* for Thames and *Box Office for Channel 4*. Palace and Working Title have *Scandal*, *The Tall Guy*, *A World Apart*, *Lenny Live* and *Unleashed* and *My Beautiful Laundrette* to their credit.

TVS, which yesterday completed a £30 million financial restructuring to pay for its franchise in the increasingly unlikely event that it wins, also faces a strong challenge from Meridian Broadcasting, the MAI-backed consortium also relying on independents for its output. With stars such as Rowan Atkinson, Michael Palin, Tracey Ullman and Robbie Coltrane, deals with many of the biggest and best independent producers, substantial financial backing and a strong management, Meridian is well-placed to oust TVS.

Until Tuesday evening, it seemed as though Granada, the linchpin of the ITV system with *Coronation Street*, *World*

in Action and *Brideshead Revisited*, might be unchallenged. But North West Television, an £80 million consortium put together at the 11th hour by Yorkshire, Tyne Tees and Phil Redmond's Mersey Television, says it is backed by £1 billion of finance. Clive Leach, the managing director of Yorkshire, which is itself facing two challengers, denied Yorkshire's bid for Granada was in any way a retaliation for Granada's decision to tender with Border Television for Tyne Tees, in which Yorkshire has a 20 per cent stake.

David Plowright, chairman of Granada, said: "One would hope that people don't over-extend themselves. Once you are in a situation where you meet a recession and have to overbid, you then have to cut costs and the cuts will be in making programmes." North East Television, the Border-Granada link-up, promised to commission more than 150 hours of programmes each year from local independent producers and create 270 jobs in the region.

The battle for the lucrative ITV national breakfast licence got off to an early start yesterday with Bruce Gyngall, TV-am's chairman and managing director, promising to build on its existing service, not tamper with it. "We're not complacent, but to change a format that attracts 72 per cent of the breakfast audience can only be at one's peril," he said.

The rival Daybreak consortium offered "a more substantial breakfast". The consortium, whose heavy-weight shareholders include ITN, Carlton Communications, *The Daily Telegraph*, MAI Broadcasting, NBC and Taylor Woodrow, said its service would be "independent television's most ambitious, continuous live magazine programme broadcast seven days a week from Europe's most modern broadcasting studios."

Sunrise Television, the consortium put together by LWT, Scottish TV, Walt Disney and *The Guardian* and *Manchester Evening News*, promises a rolling news programme, with an emphasis on regional news and weather bulletins. Its national and international service will be supported by Visnews, the largest television news agency in the world, while children's programming will come from Walt Disney.

NATIONAL MORNING

Incumbent: TV-am.
Challenger: Daybreak TV (Shareholders: ITN 20%, Daily Telegraph 20%, Carlton 20%, MAI 20%, NBC 15%, Taylor Woodrow 5%. Chmn Sir Paul Fox; directors Bob Phillips, ch exec ITN, Max Hastings, ed-in-ch *Telegraph*, Nigel Walsley, ch exec Carlton TV, Clive Hollick, man dir MAI, Patrick Cox, man dir NBC Europe, Lord Bellwin, chmn Taylor Woodrow, Sir Robin Day).
Sunrise Television (LWT 20%, Scottish TV, Guardian and Manchester Evening News 20%, Walt Disney 20%, Chmn Harry Roche, chmn GMEN; directors William Brown, chmn STV, Chris Bland, chmn LWT, Michael Brahm, ch exec Broadcast Corinn (part of GMEN), Evaristo de Villiers, press Disney International).

LONDON WEEKDAY

Incumbent: Thames TV.
Challenger: Carlton Television (Carlton Comm 90%, Daily Telegraph 5%, Rizzoli Corriere della Sera 5%. Chmn Michael Green; ch exec Nigel Walsley; directors Peter Jackson (dir progs), Peter Ibbotson, ex-BBC (dir progs), Brian Warham, Lord Armstrong).
CPV-TV (Greater London Television) (Virgin 27%, David Frost 6.5%, BHC Comm 25%, Electra 16.8%, Island World 13%, Charterhouse 7%. Chmn Victor Black; ch exec John Gau; directors Charles Leeson, man dir, Richard Branson, David Frost, vice chmn, and others).

LONDON WEEKEND

Incumbent: LWT.
Challenger: London Independent Broadcasting (PolyGram 30%, Mentorn Film 16%, Palace 15%, Working Title 15%, Hoare Govett 25%. Chmn David Fine; directors Anneka Rice, Alan Watson, Michael Kuhn, Tom Gutteridge, Nik Powell, Tim Bevan, Malcolm Ritchie).

THE MIDLANDS

Incumbent: Central Independent Television.
No challenger.

EAST OF ENGLAND

Incumbent: Anglia Television.
Challenger: Three East (EMAP, CLT, Don Taffner, Daily Telegraph, Chmn Lord Prior, chmn GEC; directors Jeremy Fox, ch exec, Linda Agran, dir progs, John Raneleigh, dir regional, John Lloyd, controller entertainment).
CPV-TV (East of England Television) (see Thames).

NORTHERN IRELAND

Incumbent: Ulster Television.
Challenger: Television Northern Ireland (Duke of Abercorn, Thomson Regional papers, Ulster businessmen).
Lagan Television (Chmn Dawson Moreland; directors Bryan Cowgill, former man dir Thames TV, and others).

SOUTH & SOUTH EAST

Incumbent: TVS Television (new shareholders Home Box Office 21.6%, Canal Plus 14.3%, Compagnie Générale

des Eaux 14.3%, Daily Mail and General Trust 5%).
Challenger: Meridian Broadcasting (MAI, SelectTV, Chmn Clive Hollick, ch exec MAI; dep chmn Bill Cotton, ex man dir BBC TV; ch exec Roger Laughton; directors Allan McKee, man dir SelectTV, Baroness Fletcher, Roger de Haan, chmn Kuhn, Sir Richard Lucas, ex arts minister, Michael Palin).
CPV-TV (South of England Television) (see Thames).
Carlton Communications (see Thames).

SOUTH-WEST

Incumbent: TSW.
Challenger: Telewest (directors inc Angela Ripston).
Westcountry Television.

WALES AND THE WEST

Incumbent: HTV.
Challenger: CSW (Flextech 20%, United Artists 20%, Grap Shipping 10%, RTE 10%, HIT Comm 5%. Chmn Sir David Nicholas, chmn ITN; ch exec Justin Dukes, ex man dir C4; directors David Cunliffe, Stanislas Yassukovich, Vincent Finn, dir-gen RTE).
Channel 3 Wales and the West (TSW 19.2%, others unknown).
Chmn Lord Morris of Castle Morris; directors Peter Gabriel and others).
Merlin Television (Chrysalis 15%).

YORKSHIRE

Incumbent: Yorkshire TV.
Challenger: Viking Television (TVF 13%, Barr & Wallace Arnold Trust 25%, others not disclosed).
Chmn Sir Trevor Holdsworth; ch exec Hilary Lawson; directors Baroness Masham of Ifford, Malcolm Barr, Prof Geoffrey Sims).
White Rose Television (Chrysalis 15%, Panoptic Productions, others not disclosed).
Directors Viscount Lewisham, Lord Asa Briggs).

NORTH WEST

Incumbent: Granada TV.
Challenger: North West Television (Trinity International, publishers Liverpool Echo, Daily Post, Yorkshire TV, Tyne Tees TV, Mersey TV, 3L Causeway Capital, Chmn: Rob Farley, ex ch exec Royal Bank of Scotland; ch exec Phil Redmond).

NORTH EAST

Incumbent: Tyne Tees Television (Yorkshire 20%).
Challenger: Northeast TV (Granada TV, Border TV).

NORTH SCOTLAND

Incumbent: Grampian TV.
Challenger: C3 Caledonia (Shareholders not disclosed).
Chmn Tommy MacPherson).
North of Scotland TV.

CENTRAL SCOTLAND

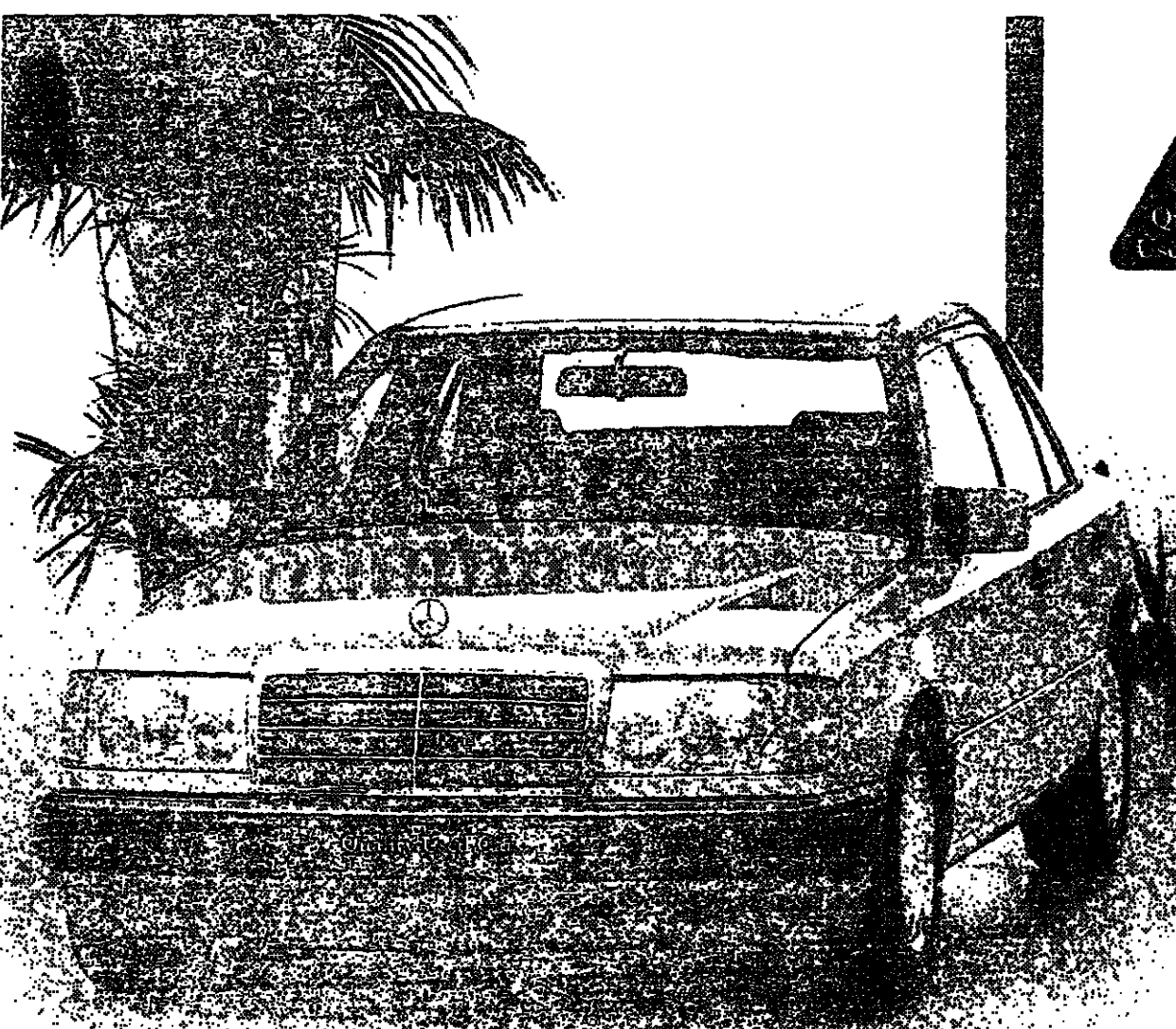
Incumbent: Scottish TV.
No challenger.

BORDERS

Incumbent: Border Television.
No challenger.

CHANNEL ISLANDS

Incumbent: Channel TV.
Challenger: C13 (Bergerac star John Nettles).



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The bustle and jostle to print money

By ALAN HAMILTON

"THIS is probably not the best way to organise the television of the future," said Lord Prior as his outgoing Ford jostled on the ramp of a subterranean garage opposite Harrods with two incoming Volvos laden with applications to print money.

Yesterday was the day when those who wish to own a slice of the independent television of the future had to deliver their sealed bids, and copious copies of their prospectuses, to the Independent Television Commission by the noon deadline. Lord Prior, heading a consortium seeking to wrest the east of England franchise from Anglia, was in good time, but a big fish and a little fish almost missed the boat.

The big fish arrived with only 15 minutes to spare. Will Whitehorn,

representing a consortium headed by Richard Branson and David Frost, hailed a taxi in the City at 10am for what he expected to be a 30-minute journey to the ITC. He bore his masters' bids to take over the Anglia, Thames and TVS regions, although they will be allowed only one at best.

Mr Whitehorn, his taxi, his sealed envelopes and his cheque for £240,000 entrance money to join the bidding game became hopelessly ensnared in a police traffic census on the Embankment, eventually arriving at 11.45.

But Mr Whitehorn was not the last. At 11.50 a mysterious white Sierra estate drove down the ramp bearing two anxious men and numerous cardboard boxes. There was, however, one absolute dead giveaway: Jersey number plates.

Richard Hall and Spencer Pryor had until that moment kept their bid to snatch the Channel Islands franchise a watertight secret in the hope that Channel Television, the present operator, would assume it had no rivals and enter a very low bid. They had intended to fly to London on Tuesday but fog forced them onto the overnight ferry and a frantic drive from Poole, Dorset.

The men from C13 handed out modest photocoped press releases where the morning's flashier arrivals had laden reporters with sumptuous colour brochures. But, they disclosed, their sealed bid and their entrance fee together amounted to less than £10,000. Probably not the best way to organise the television of the future, but an absolute snip if they win.

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Mugging victim who fought back is acquitted of murder

By LIN JENKINS

A MAN aged 55 accused of stabbing to death a mugger who attacked him with a knife was acquitted of murder yesterday.

Kenneth Carrera, who was alleged to have stabbed Michael Sergeant four times with his own knife, had said that he was fighting back in self-defence and that his attacker fell on the knife during the struggle.

Yesterday a jury at the Central Criminal Court decided that Mr Carrera had acted legitimately. The jury, which also acquitted him of manslaughter, rejected the prosecution's case that he was a vigilante obsessed with riding the streets of muggers who had stabbed his attacker when the man was longer a threat.

Mr Carrera, a former sailor and circus acrobat who suffers from chronic asthma and is registered disabled, denied that he was a vigilante. He insisted that his visits to the South American jungle for survival training, and his late and keep-fit training, were aimed simply at ensuring that he could defend himself.

The case highlights the difficulties within the law of deciding how far a person can act in self-defence. A Tube passenger who stabbed an attacker with a swordstick four years ago received a fine and suspended sentence, and a butcher who shot a vandal in the back with his shotgun received a three-year conditional discharge. Last night a leading criminal lawyer said: "The area is still a grey one, and it depends upon the circumstances."

Michael Sergeant had 14 convictions for drug and robbery offences and had recently

finished three and a half years in jail for robberies and assaults. He was under the influence of cocaine and alcohol when he and his accomplice, Germaine Lee, attacked Mr Carrera late one night last August and demanded money. Mr Carrera had left his home on the Westbury Estate, Clapham, south London, to make a call from a public telephone box.

Michael Mansfield, QC, for the defence, said that Mr Carrera called the police after the incident and faced a murder charge only because he had expressed strong views about muggers. He had been mugged before and lived on an estate with a high crime rate. "All he wanted to do was walk the streets peacefully, a basic human right to which we are all entitled. All he did was defend himself. He was in a life-or-death situation, which is all too familiar nowadays on the streets of Britain," Mr Mansfield said.

"He has been blamed for standing up for what is right. Every person in Britain has the right to defend himself. He was entitled to defend himself to the bitter end. He acted with courage."

During his evidence to the court, he jumped up and down aiming blows into the air to illustrate what had happened during the struggle. He said that he was held in a headlock as one attacker kicked him and took money from his pockets, including £50 that was a birthday present for his son. "I felt him jerk back and after that he was desperately trying to get the knife into me. He was trying to stab me."

The question of a person's right to self-defence was highlighted in 1984 by the case in New York of Bernard Goetz, who shot and wounded four blacks who were about to mug him on the subway. He was acquitted in 1987 of attempted murder but convicted of possessing an unlicensed gun.

He added that it was an injustice that Mr Carrera had been charged, whereas the surviving attacker had not. "He is the type of man who has decided that if he was going to survive on this estate he had to be fit. He knew he had to be able to defend and protect himself. He was also prepared to protect others... He was doing on behalf of others what many people have not the courage or capability to do. The blame for what happened rests with the dead man."

Mr Carrera told police after the attack: "I live in a very vicious community where there are always muggings going on. I will defend myself and helpless people around me whether they be black, blue or maroon. I train myself all the time for those muggings. The mugger will pay because he has to be really fast to get me."

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Carrera: struggled with attackers in self-defence



Steamed up: Andrew Brenchley, a volunteer crew member, at the bow of the President, thought to be the only steam-powered narrowboat operating in the country. The boat is heading for London from Birmingham

Limousine makers to the Queen putt away

By KEVIN EASON
MOTORING CORRESPONDENT

ROLLS-ROYCE last night announced the loss of 500 jobs at its Mulliner Park Ward coach-building subsidiary in London, and signalled the end of production of some of the world's most exclusive and expensive limousines for heads of state.

Lack of demand for the luxurious hand-built vehicles and more efficient manufacturing techniques at the company's headquarters in Crewe, Cheshire, have forced the decision.

International sales of Rolls-Royces and Bentleys have fallen by 50 per cent, while in the UK they are down this year from 524 to 256. The drop in orders has led to 700 lost jobs at the company's main factory at Crewe, and the cutbacks at Mulliner Park Ward at Acton, west London, mean that Rolls-Royce is effectively pulling out of specialist coach-building.

Park Ward became a Rolls-Royce company in 1939 and was joined by Mulliner in 1959 to become one of the most famous coachbuilding companies in the world, producing among others the Phantom limousines. The Queen has six Phantoms, worth at least £300,000 each.

At Acton 100 workers will build bodies for the £150,000 Corniche convertibles, which used to be finished and painted at Mulliner Park Ward. That work will now be carried out at Crewe, which has modernised paint lines and production methods that were under-used due to the sharp fall in sales.

Rolls-Royce said that the cost of the redundancies would be about £10 million but they would bring considerable cost savings.

Car deficit narrows, page 21

Poldark village is sold for £1m

The historic Georgian village of Charlestown, the backdrop for the filming of the *Poldark* and *Onedin Line* television series, has changed hands for more than £1 million. The port, near St Austell, Cornwall, has been bought by Peter Clapperton, a Suffolk businessman, who plans to develop it as a tourist attraction.

The village was owned by Swordhurst, an Essex property company, but an ambitious £12 million development ran into trouble and the insurance company Target Life took over ownership when it called in a loan. The London auctioneers Debenham, Tesson and Chinnocks completed the sale to Mr Clapperton yesterday for a "substantial seven-figure sum".

"I do not want to spoil Charlestown but I do want to increase its attraction to visitors," Mr Clapperton said.

Baby boom

More babies were born last year in England and Wales than in any year since 1972, according to the Office of Population Censuses and Surveys. There were 706,140 live births compared with 687,725 in 1989, an increase of 2.7 per cent. Infant mortality, death within the first year, was the lowest recorded at 7.9 per thousand live births. Registered deaths fell by 2 per cent from 576,872 to 564,846.

Gunman guilty

An Arab gunman was found guilty at the Central Criminal Court yesterday of holding hostage 150 people, including members of Gulf royal families, during a 10-hour siege at Tokyo Joe's night club in Piccadilly, London, last July. Hani Elayes, aged 31, of Paddington, west London, who had a dummy bomb strapped to his waist, will be sentenced later after the judge has studied medical reports.

Kidnap remand

David Stanley Wight, aged 46, an unemployed computer salesman of Carrick Fergus, Co Antrim, was remanded in custody until June 12 when he appeared before Brentwood magistrates yesterday. He was charged with demanding £100,000 with menaces from the Midland Bank in Brentwood, kidnapping Fiona Mann, aged 27, and possessing a replica revolver with intent to commit an offence.

Stratford votes to win back power

By CRAIG SETON

PEOPLE in Stratford-upon-Avon have voted overwhelmingly for the town to be given back the status of a borough, lost after more than 400 years. During its earlier independent days, John Shakespeare, the Bard's father, held the positions of chamberlain (mayor) and bailiff (treasurer). In a referendum requested by a town meeting, 3,457 electors said they wanted Stratford to revert to borough status, with powers to determine its own affairs, which was ended under local government reorganisation in 1974. The turnout was about 21 per cent of the 17,000 people allowed to vote and only 148 people voted against.

A similar majority showed electors unhappy with the present local government structure affecting the town, requesting that planning applications in particular should be determined by town councillors.

The town was granted borough status by Edward VI in 1553. In 1974, the newly created Stratford district council took over responsibility for planning, housing and other services including environmental health. Since then, the town council — effectively a parish council with few powers — and the district council have been in dispute over controversial planning issues affecting Shakespeare's birthplace. The district council has 55 councillors, of which only 12 are drawn from Stratford itself.

The district was criticised for allowing planning permission for the new Mulberry Tree shopping centre, close to the Royal Shakespeare Theatre. Opponents said the development was a carbuncle on the face of the historic town. There have also been disputes over plans for a new marina on the Avon on the town's outskirts and a new southern relief road, but each time the town council's opposition was overruled.

Michael Heseltine, the environment secretary, will

now be asked to accept the verdict of the townspeople and give them back their borough.

Philip Latham, the town clerk, said yesterday: "The townspeople have constantly fretted over planning matters. The town council can make recommendations but they are very often set aside by the district. We are not trying to extend our own geographical boundaries which have been fixed for over 400 years."

Mr Latham said that Stratford had dropped to about eighth or ninth position in

Britain for tourism, whereas it was once among the top two or three leading attractions. He believed this was connected to developments that were judged out of keeping with the town. People living in Stratford were better placed to decide important issues for a town rich in history and tradition. Mr Latham added: "Mr Heseltine has been saying that he wants greater local accountability and greater attention to the choice of local people in local government. We hope he listens to this vote in Stratford."

No-fault damages proposed

By FRANCES GIBB
LEGAL AFFAIRS
CORRESPONDENT

VICTIMS of road accidents would be able to claim up to £2,500 in compensation for injuries without having first to prove fault under proposals published by the Lord Chancellor's department yesterday. The no-fault scheme, which would cover injuries from minor accidents, would be operated by the insurance industry and funded by an increase in motor policy premiums. Most of the estimated 2,200 cases that it would deal with each year would be settled without the need for court proceedings.

The claims would be subject to an upper limit of £2,500, and those below £250 would



Lord Mackay: studying car crash compensation

extend to claims for vehicle damage.

The Lord Chancellor, Lord Mackay of Clashfern, is seeking comments from the public insurers, motor organisations and lawyers. A civil justice review that recommended study of a no-fault scheme in 1988 said that it could reduce uncertainty for claimants, avoid litigation and reduce pressure on courts. However, Paul Aspin, of DAS legal expenses insurance, yesterday said that such a scheme could lead to a big rise in motor insurance premiums. "No-fault schemes are not as simple as they seem," he said. There would still be argument about who was eligible, and for what amount.

Roger Graef, page 18

Non-lawyers on justice enquiry

MORE than half the members of the royal commission investigating the criminal justice system have non-legal backgrounds, it emerged yesterday (Quentin Cowdry writes). Legal reform and civil rights groups are likely to see this as improving the chances of finding radical solutions to the severe loss of public confidence after a string of mis-

carriages of justice. Among the more surprising appointments are Michael Zander, professor of law at London School of Economics and a former journalist with *The Guardian*, and Usha Prashar, former head of the Runnymede Trust, which helped to highlight racial discrimination in the criminal justice process. The commission, chaired

by Lord Runciman of Droxford, includes Robert Buncard, commander of the Police Staff College, Sir John Cadogan, director of research, British Petroleum, John Gunn, professor of forensic psychiatry, Institute of Psychiatry, and Sir Philip Woodfield, former permanent secretary at the Northern Ireland Office.

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Extra cash plays sweet music for choristers and workers

Choir schools told to lower their pitch

By DAVID TYTLER, EDUCATION EDITOR

THE choirs of England are filled with heavenly voices but they all come from the middle classes, an octave at least away from John Major's classless society. It is time the music changed, according to the man responsible for recruiting voices to fill cathedrals and collegiate churches.

From King's College, Cambridge, to Westminster cathedral, there are problems in recruiting. The choir schools are suffering from the blight on full-time boarding and boys-only education, even though there are considerable reductions in the fees, which average £5,000 a year.

Some help is at hand with a government scheme to help less well off parents to send their sons to the schools. Choir schools at Salisbury, Ripon and West-

minster cathedrals are to be the first to receive government scholarships, Michael Fallon, the schools minister, said yesterday.

The schools, however, must do more to break the middle-class tag. Richard Shephard, chairman of the Choir Schools' Association, told its annual conference in Gloucester. Choirs risked being seen as a middle-class clique because they recruited from too narrow a social band.

A survey of 800 cathedral choristers showed fewer than 1 per cent came from the lowest social class and 81 per cent were from professional or managerial families. Under the scheme, each school will receive £5,000 with £5,000 given to the Choir Schools' Association bursary trust to assist choristers at other schools.

Men's clubs burst pop money-spinner

POP music superstars have been deprived of £22 million in payments from Britain's working men's clubs, who have been exempted from paying high fees for playing modern music after proving that their members hate pop songs.

The 3,600 clubs won a four-year legal battle through their ruling body, the Club and Institute Union, when a copyright tribunal ruled that a royalty rise was unjustified, although public houses and restaurants will have to pay.

Jack Johnson, the union's general secretary, said yesterday that members had not heard of people like MC Hammer, Chubby Checker or New Kids on the Block. "Most of our members are more interested in middle-of-the-road or country and western music."

Clubs countrywide, who pay thousands of pounds

annually for the right to use live or recorded music, will receive an immediate refund of £3.25 million, plus savings of £19 million over the next decade.

The Performing Rights Society, which collects the money and pays fees to songwriters, raised its prices in 1987, claiming the increase was to cover its larger repertoire.

Teri Anderson, the society's public affairs controller, said: "We will apply the new rates with full retrospective effect. Refunds will be made as speedily as the complex calculations will allow."

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مكذوب من الأصل

Lawyers want pre-marriage contract to cover divorce

By FRANCES GIBB, LEGAL AFFAIRS CORRESPONDENT

THE Law Society has called for legislation that would enable couples to draw up legally binding marriage contracts setting out who would get what if they divorced.

The controversial proposal, which is being put to ministers and officials, would allow couples to decide how their money and property should be divided instead of having a settlement imposed by a court. Binding pre-marriage contracts are commonplace in countries such as France, Sweden and America. In England a few couples draw up contracts and although they are not enforceable in law, courts can take account of the wishes expressed in them.

The proposal is part of a package of reforms to the divorce laws put forward by the society yesterday, including a system of pension-splitting on divorce, a formula for calculating child maintenance, and procedural reforms such as a central data bank on cases.

Derek Sands, a member of the society's family law working party, said: "The proposals on marriage contracts are novel. We hope they will be looked at seriously by government and the Lord Chancellor's department and that, in the present climate of opinion, with couples being advised to regulate their own affairs, our proposals will find favour."

He added that with the increase in divorces, there could be more scope for marriage contracts, particularly for the large numbers marrying for a second time.

Richard Sax, a family lawyer, denied that such contracts were unromantic. "Romance

soon wears thin if financial problems loom large. It's a very good basis for a marriage, to think first about the financial framework on which you are going to conduct your marriage — the marriage will blossom all the more."

The Law Society recommends certain safeguards. It says each party should be required to receive independent legal advice before signing. Any contract entered into without such advice should be unenforceable, as would be any contract entered into under force, through fraud or deception.

Because of the changing circumstances in a relationship, the society suggests that a list of "trigger events", such as the birth of any children, would cause the contract to be revoked or reviewed, depending on what the couple wished. Above all, the society emphasises that people should be able to decide whether the terms of the contract should bind the court or whether they should just be taken into account if they seek a divorce. Their decision on that should be recorded in the contract.

Contracts should not follow the Swedish or American models but steer a middle course, covering assets, gifts, income, claims against property, liability for tax or debts. In the US provisions can extend to sexual relationships, division of household tasks and personal privacy.

On pension splitting the society proposes a pensions adjustment order, to be combined with powers sufficient to split pensions on divorce and ensure that a former wife is adequately provided for.



Palm caught: the Torbay palm, left, exposed as the New Zealand cabbage plant, and desert finery in Bournemouth's Lower Gardens

Torbay palm's exotic pretensions are rumbled

THE Torbay palm, whose exotic beauty has been used to attract thousands of visitors to the English Riviera for nearly 30 years, has been exposed as nothing more than a cabbage plant from New Zealand (Harvey Elliott writes).

A casual remark by an official in the rival resort of Bournemouth at a local design competition shattered the carefully nurtured myth that the trees used by Torquay, Paignton and

Brixham as their emblem are genuine palm trees. "The true palm," said Eddie Hunt, Bournemouth's parks director, "does not grow in Britain. Our weather is not up to it."

Torbay council immediately came clean, admitting that the "palm tree" it uses to convince tourists of the mildness of its climate, is *Cordyline australis*, otherwise known as the New Zealand cabbage plant. "I accept fully that it is not really a true

palm in the botanical sense," Robert Sweet, Torbay's recreation director, said. "We adopted it in the 1960s and called it the Torbay palm. Its use on our logo has been very successful. We have no intention of changing it."

To make a change would, apart from being an embarrassing climb-down, cause problems for the mini-industry that the tree, a lily family member, has inspired, including the Torbay Palm Farm, which sells

thousands of seedlings each year to people wanting a memento of Torbay's benign climate in their gardens.

Torbay points to its genuine palms, such as a Japanese type, and Bournemouth also claims real ones. "I feel sorry for Torbay," Ken Male, Bournemouth's tourism director, said. "We were only pointing out casually that real South Sea island palms don't grow in Britain and that their logo is not of a real palm."

Cigarette advertising may soon be banned

By THOMSON PRENTICE MEDICAL CORRESPONDENT

CIGARETTE and tobacco advertising could be banned in most of Europe under proposals approved yesterday by the European Commission. The ban would prohibit the advertisements in newspapers, magazines and cinemas, on television or street billboards and at sports events.

The governments of the 12 member states will have to give their agreement before the ban can take effect. So far Britain and Germany have opposed the move.

Michael O'Connor, director of the Coronary Prevention Group, said yesterday: "This is the best news for public health for a generation."

The proposals allow tobacco products to be advertised only at their point of sale. Cigarette companies will be banned from using their brand names or logos to advertise a product other than tobacco, or to display them at sporting or other events that they sponsor.

According to a Health Education Authority report published yesterday, deaths in Europe due to smoking-related illnesses could reach an annual total of two million by the year 2025.



Dawn Passey and Steve Buckley: "We're really the most romantic couple you could get"

Couple think wedding deal would be fairer

DAWN Passey and Steve Buckley live together but will not marry unless they can have a legally binding marriage contract (Frances Gibb writes).

The couple, from Lichfield, Staffordshire, already have a cohabitation contract, setting out how they would split goods and property in the event of a separation. "It's really the security," Dawn, aged 28, said yesterday. "If there are any problems between us, we would basically get back what we put in."

Solicitors drew up their cohabitation contract when they moved in together. "I'd always thought it was something I wanted to do, and Steve had had an unfortunate experience with a previous engagement. He had bought a lot of things and when he parted from his fiancée, he didn't get them back."

Dawn, who like Steve is a sales executive for a haulage company, says marriage con-

tracts would be fairer, and she insists that the pair of them, who appeared recently on BBC television's *Family Matters*, are "the most romantic couple you could get".

Cohabitation contracts are on the increase, according to Brindley Twist, Taft and James, solicitors and authors of a guide, *Living Together: You, Your Partner and the Law*. However they advise against marriage contracts because they are not binding and can be costly to devise.

Yet some couples still want them. Valerie Kleanthous, of the Solicitors' Family Law Association, cites the case (from another firm) of a man aged 60 who married a divorced woman of 40. When the marriage broke up after five years, the husband said the contract was worthless. "There was a divorce, and the court found the contract had evidential value because it indicated what the couple intended," she said.

Leonardo drawing for Scotland

SCOTLAND has acquired its first drawing by Leonardo da Vinci, in the latest purchasing coup by the Scottish National Galleries' director, Timothy Clifford (Sarah Jane Checkland writes).

The Leonardo drawing, *Studies of Paws of a Dog or Wolf*, comprising seven studies, four on one side of the sheet and three on the other, was bought for £570,000, as a result of a private treaty deal, with Christie's acting for an English private collector, and with £100,000 from the National Art Collections Fund.

The purchase of *Maternity*, an important Surrealist work by Joan Miró, was also done by private treaty. Negotiated through the Mayor Gallery of London, it was aided by grants of £400,000 from the National Heritage Memorial Fund and £100,000 from the NACF.

Newspapers to merge news side

THE main news departments of *The Independent* and *The Independent on Sunday* newspapers are to merge with a number of job losses, their owners, Newspaper Publishing plc, said yesterday (David Young writes).

The company said that it believes that there would be positive advantages for both newspapers above and beyond necessary cost cutting in the face of the continuing deep recession in advertising. The number of jobs to be lost will not be known until the precise formula for integration of the departments is settled, the company added.

Stephen Glover, the editor of the Sunday newspaper, will continue to edit during the transitional period and the board has asked him to play a key editorial role within the company.

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Delors sets Tory tongues wagging again on Europe

By ROBIN OAKLEY, POLITICAL EDITOR

POOR old Jacques Delors, some Tory Euro-enthusiasts were saying this week. Even when he does try to do the British a favour, as with his suggestion that any treaty on European monetary union can contain a clause providing that Britain's decision on a single currency can be taken later by the House of Commons, he is accused of setting a trap.

Surely, they say, it is just what ministers have been wanting, a chance to keep the ball in the long grass until after the next election. Euro-decisions postponed are, in today's Conservative party, party splits postponed. And Neil Kinnock's total silence on the matter suggests that Labour is equally ready to have it fudged until after the next election.

But political life is rarely so simple. M Delors has once again set off the debate within the Tory party about the pace of European integration. On Europe, the prime minister has so far succeeded in being all things to all men. He made friends



Delors: suspected of setting a trap

at the Rome summit in December, but came back without having given ground on a single currency, a European central bank or greater power for EC institutions. His Bonn speech subtly marked the change from Margaret Thatcher's rhetoric, but when the Euro-sceptics combed through it, they found nothing of substance conceded.

The Delors plan has seemingly divided those Euro-sceptics. Some Bruges Groupers say that if Britain

signs up to a treaty permitting the other 11 nations to go ahead when they wish with a single currency, even if the British Parliament can decide later if Britain joins in, then we will have lost the right to exercise the veto. The European Reform Group, however, is quite happy with the notion of seeing a two-tier Europe develop, hoping to persuade ministers to operate two tiers in other aspects of EC life as well.

Teddy Taylor, the group's secretary, says that the crucial question is "if, not when". It is not whether Britain should be able to join at a later stage rather than when others form a single currency union. It is whether Britain should be allowed to postpone until later the question of joining at all.

While the Treasury seems determined to stick to the "if" question, there are signs that the Foreign Office is willing to settle for "when". The Foreign Office believes that, although the British veto is a reality on questions

before the political inter-governmental conference, which are governed by the existing treaties, it is an illusion on the economic conference, which will provide the basis for a new treaty. If we refuse to co-operate, then the other 11 can simply go into another room and decide to go ahead with EMU regardless.

The gap between the Euro enthusiasts and the Euro sceptics takes some bridging. Until lately Mr Major has not needed to try. But M Delors has reactivated the question. And Mr Major's problem is posed by Nicholas Ridley, the former environment secretary, who says "I have never wanted to stand in the way of continental countries changing their currencies and joining unions just so long as they do not ask the Conservative party to endorse the principle or involve Britain in their machinations. I am sure we can rely on John Major's previous public quotations that he is opposed to the whole concept and that he will deliver."



Friendly contact: Roger Evans greeting the voters, though his style is usually found to be abrasive.

BY-ELECTION NOTEBOOK

Evans the Voice calls, but will voters listen?

By MARY ANN SIEGHART

WALKING past the Nag's Head pub in Usk yesterday was perilous for any woman under 60. Drinking coffee outside in the sunshine were Michael Kee and Kenneth Magnus, two middle-aged locals. "Are you Lindy St Clair?" they asked any female who passed. They reckoned they could do with a bit of entertainment - after several weeks of being harangued by the three big parties.

To the gentlemen's regret, Ms St Clair had not shown her face; or any other part of her anatomy, in Usk during the Monmouth by-election campaign, which ends today. Even a representative of Screaming Lord Sutch's Monster Raving Loony Party was a poor substitute.

Mr Magnus was particularly fed up with Roger Evans, the Conservative candidate. The man may have unnaturally short arms and legs, probably encased in scratchy tweed all night as well as all day, but he cannot help that. He is, though, by no means the perfect by-election candidate for a seat that the Conservatives badly need to hold.

Mr Evans manages to be both abrasive and pompous at the same time. During a by-election campaign dominated by worries about the state of the health service, Mr Evans, a London barrister, seems to carry no brief for the kinder, gentler Tory party of John Major. He is certainly the most interesting of an otherwise bland batch of candidates, but the Conservative party may rue the day they adapted the old Chinese curse "May you live in interesting times" to "May you select an interesting candidate". In a deafening voice more suited to nineteenth-century outdoor unamplified hustings, he delights in admitting that he is a member of a private health scheme and sends his two sons to private schools.

Mr Evans is hoping that the NOP and ICM polls published this week and showing Labour ahead of the Tories and the Liberal Democrats in third place will convince centre party supporters to vote Conservative in order to keep what he always calls "the socialists" out of power. How strong is the third party's support, and if it fragments, which party will benefit?

Many locals believe that both polls have underestimated Liberal Democrat support, showing it in the low twenties. Certainly the Liberals are running the two biggest parties close in the poster war, particularly in rural areas. The polling organisations will have the 1985 by-election in neighbouring

Brecon and Radnor etched in their memories. There, a Mori poll gave Labour an 18 point lead, yet the Liberal candidate won by two points. Could history repeat itself?

The post-mortem on Brecon and Radnor revealed a late swing to the centre party: 8 per cent of Liberal voters decided to support that party only on the last day, and 32 per cent in the last week. But Mori also admits that its sampling was biased towards Labour. In such a thinly populated constituency, researchers were tempted to interview people living in clusters of houses, rather than in remote areas.

Monmouth presents the same problem for interviewers, though the organisations presumably will have learnt their sampling lessons this time. And besides, Monmouth differs from Brecon and Radnor in several respects. For a start, it is more prosperous. Brecon and Radnor had a lot of rural poverty; Monmouth has more middle-class people. There is also less of a tradition of Liberalism and the constituency boasts hardly any Welsh speakers.

In voting terms, Monmouth most resembles Mid-Staffordshire. There, Labour and the Alliance, as it then was, vied for second place in the 1987 general election, but Labour won the by-election thanks to a third-party squeeze. The 1987 voting figures for Monmouth were remarkably similar to Mid-Staffs. And the OUP poll showed that Liberal Democrat supporters were more likely to switch to Labour than to the Conservatives if they thought only Labour could beat the Tories.

Mr Evans spent yesterday on what he called "last round-ups". The phrase sounds like an exercise from a sheepdog trial, and his voice could indeed call a dog from two valleys away. But Labour seems to be the party with the most pulling power.

Leading article, page 19



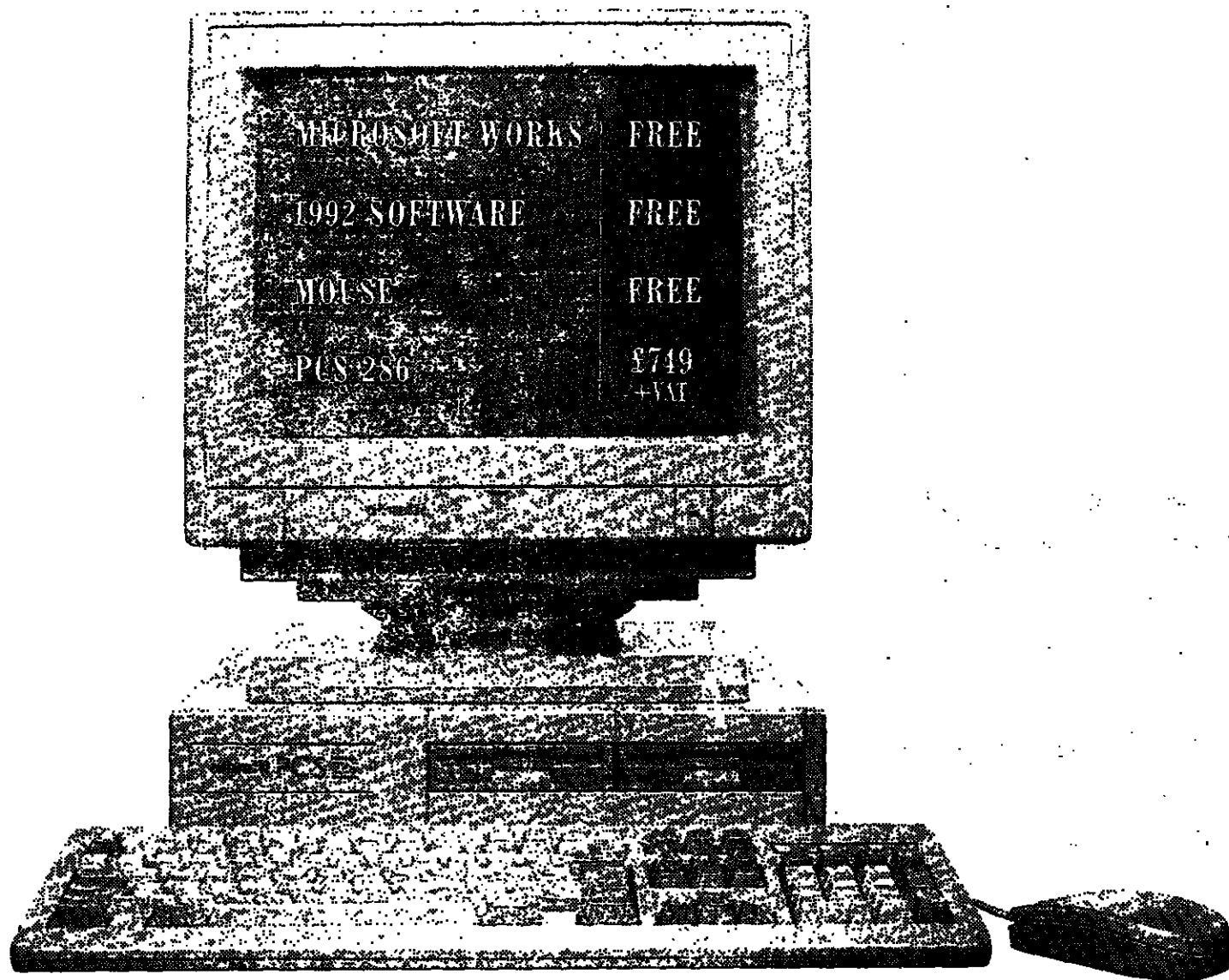
Major: his grating and ignored by candidates

Lang softens fishing line

THE government is ready to consider decommissioning the Scottish fishing fleet if that comes as part of a wider conservation package, Ian Lang, the Scottish secretary, told MPs yesterday (Peter Mulligan writes).

His concession is an important softening of policy and comes after a meeting of the Scottish Fishermen's Fed-

eration with the prime minister at Perth last week during the Scottish Tory party conference. Ministers have until now rejected fishermen's demands for decommissioning - paying them to leave the industry - which have been heightened by an EC conservation measure forcing them to stay in port eight days a month.



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هكذا من الأصل

Beckett admits some teachers will pay more under Labour

By PETER MULLIGAN

LABOUR acknowledged yesterday that between 10 and 15 per cent of teachers will pay more under its plans to move the upper limit of national insurance contributions.

The declaration was made by Margaret Beckett, shadow chief secretary to the Treasury, in a rowdy Commons debate on public spending in which the election fever of recent days continued, with the two main parties making charge and counter charge.

She said that it was not possible to say exactly how many would be affected, but she made clear they would probably have to be receiving London and incentive allowances. Responding to recent Tory allegations that teachers and others would lose under Labour's plans, she said that the effects on them would be very small. They would lose about £50 or £60 a year.

The average primary school teacher earns £16,279 and secondary school teacher £17,166. The upper limit for

national insurance now applies at earnings of £20,300, she said. Mrs Beckett said that no more than 3 per cent of teachers would be affected by the abolition of the upper limit and 12 per cent of police officers "could possibly" be affected.

She said: "They know we are pledged to do it. They know where the money is going. It is going to pensioners. It is going to families with children. It is going where it is very much needed. They can make their own decision in the light of the clear choice that we are setting before them. There is no deceit."

Mrs Beckett also sought to rebut Tory claims that Labour would be forced to raise taxes in order to fund its spending pledges. She emphasised that Labour's was a moderate estimate — that 2.5 per cent growth over five years would produce £20 billion "without a halfpenny going on the basic rate of tax".

She told MPs: "The point is that with growth at those levels there are revenues — without having to raise income tax ... Tory MPs have been trying to say you cannot have revenues unless you raise the basic rate of income tax. It is a lie. It will be a lie no matter how many times they repeat it."

On Labour's spending plans in general, she said: "We are saying we will not spend more than the economy can afford. But we will put every penny that the economy can afford into investment and public services."

The debate was opened by David Mellor, Treasury chief secretary, who mocked Labour's list of "priorities" and "reckless promises" and insisted that tax increases for average earners were bound to result.

He said that the government planned to increase spending by £26 billion over the next two years, providing for "significant growth in real terms". If Labour wanted to spend more than that, they had two choices: to put up taxes or raise the public sector borrowing requirement. "Either way the bill has got to be paid and taxes will have to rise in the end", he said.

"Already we know the chap on £20,000 a year, the deputy head teacher, police sergeant, middle management and some senior nurses, are going to have marginal rates increased by 9 per cent." To Tory laughter, he added: "With Labour's expenditure plans in the disarray that they are, the average taxpayer is going to find himself — if Labour is elected — crossing more thresholds than Elizabeth Taylor or Zsa Zsa Gabor."

Mr Mellor emphasised that there was no "soft option" of simply spending more money to compensate for inefficiency in delivery of services. He added: "Labour says you cannot cut tax rates while increasing provision for public services. The record shows you can and we have."

Total spending on the health service had gone up from £8 billion to £32 billion under the Conservatives, the amount per person per year rising at constant prices from £390 in 1979 to £570 now.

The prime minister's *Chiltern's Charter* would take the reforms of the past decade further by setting declared standards for services and providing incentives and penalties for those who failed to deliver.



Beckett: Tories' claims on income tax "are lies"

Worries over cost of fighter

By MICHAEL EVANS
DEFENCE CORRESPONDENT

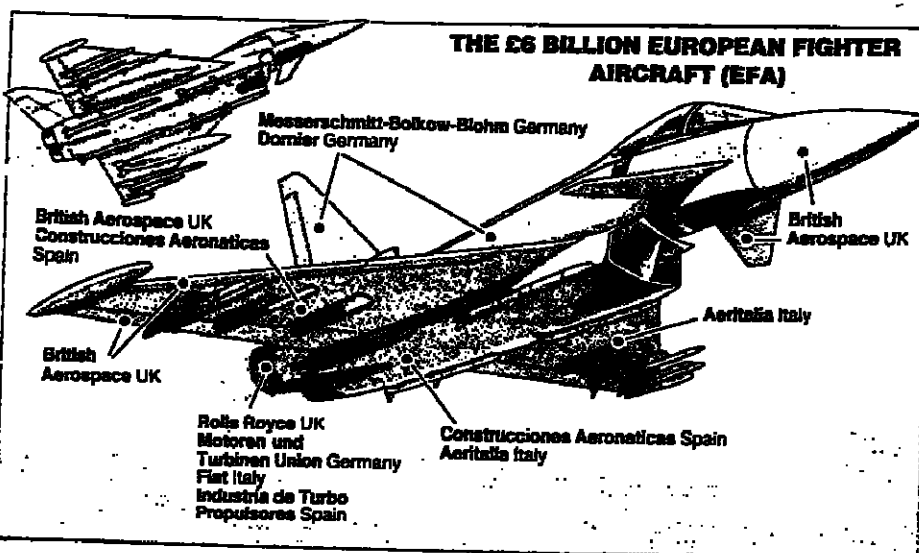
A COMMONS committee expressed concern yesterday that there was no "absolute ceiling" on the defence ministry's liability for the development of the four-nation, £5.8 billion European Fighter Aircraft (EFA) programme.

Britain's share of the cost of airframe equipment had risen from the agreed 33 per cent to 37 per cent, MPs on the public accounts committee said in a report. They added that the ministry needed to ensure that Britain did not pay more than its agreed share of development costs.

The MPs also noted that, although Eurofighter, the consortium involved in the programme, was the prime contractor for the aircraft, its responsibility did not cover the engine.

The European fighter, being developed by Britain, Germany, Italy and Spain, is intended to replace the RAF Phantom and Jaguar. Britain's share of the development costs is about £1.8 billion at "1986 economic conditions".

Public accounts committee: The European Fighter Aircraft (Stationery Office, £9.65).



Naval farce depresses MPs

By SHEILA GUNN, POLITICAL CORRESPONDENT

TO THE Commons defence committee, the catalogue of misfortunes suffered by the Royal Navy's Upholder non-nuclear submarine project was only too familiar. The MPs were told about the millions of pounds added to the original costs, the cuts, delays and defects and an accident. Only in wartime, naval officials admitted, would they run the risk of firing the torpedoes.

When challenged by MPs yesterday they understandably refused to rate the project on a scale from one to ten against similar Royal Navy enterprises. However, Brian Hawtin, a naval under secretary, said: "I would not wish to pretend it was a total success story".

In the late Seventies, up to 12 Upholder-class submarines were being talked of, at a cost of £100 million each, as successors to the Oberon class of patrol submarine. Four boats are being built at VSEL's yards at Barrow-in-Furness and Birkenhead. The Admiralty wanted the new type 2400s to be big enough to carry a sophisticated armory; coincidentally, indications suggested that a bigger boat would fill a gap in the export market better than the smaller submarines being developed by the Germans.

Under questioning by the committee, the men from the ministry admitted none had been sold while buyers had flocked to buy the German boats. The committee chairman, Michael Mates, said that it was a repeat of so many stories the MPs had heard: the Royal Navy opting for the too expensive, too sophisticated, too complex while foreign powers had gone for "something cheap and cheerful".

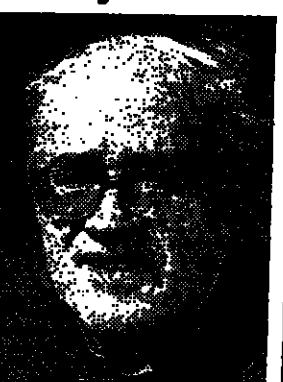
Bill Sanders, director general (submarines), told the Tory MP John Lee that Britain had not sold a royal naval submarine since the Seventies when Australia and Canada bought the Oberon boats.

Pressure grows for dog curbs

Demands for action to rid Britain of dangerous dogs increased in the Commons, with MPs tabling motions calling for curbs and the establishment of a dog registration scheme. One motion condemns the import of dangerous breeds and calls for the humane destruction of those bred for fighting, such as Japanese Tosa and American pit bull terriers.

At question time, Michael Marshall, Labour MP for Glasgow, Springburn, said that police officers were being attacked by drug dealers' dogs as the first line of defence.

Carey debut



Dr George Carey (above), the new Archbishop of Canterbury, will make his maiden speech in the Lords next Wednesday in a debate on inner cities.

War crimes

Investigations into war crimes will cost more than £1 million this financial year.

Parliament today

Commons (2.30): Questions: Treasury; prime minister. Planning and compensation bill. Lords (3): Child support bill, third reading.

Royal Opera chief attacks arts council

By JOHN WINDER

THE arts council came in for sharp criticism in the Lords yesterday from one of its clients. Lord Sainsbury of Preston Candover, chairman of the Royal Opera House, accused the council of seeking to impose its plans on the artistic bodies it was supposed to support (John Winder writes).

Speaking in a debate on the state of the arts, he said that the council no longer understood the meaning of "arm's length", the principle on which it formerly operated. At one time the council had appraised, criticised and analysed the performance of those it supported, but then gave the organisations responsibility for running their own affairs. Now it was telling organisations that they should tour the regions, yet it did not give them the necessary funds.

In a maiden speech, Lady James of Holland Park (P.D.)

James, the thriller writer, said that the fact that English had become a world language had disadvantages as well as advantages, and it was important that standard English should be valued and preserved. Preservation did not mean that English should remain unchanged, but in inventing new words for new needs, they should keep the vocabulary and construction that made the language exact as well as diverse.

The debate was opened by Lady Birk, from the Labour front bench. She said that in London there was a crisis across the spectrum of the arts, and there was insufficient money to back the system of review of art exports.

Lord Donaldson of Kingsbridge (Lab) said that the Treasury had not learnt to distinguish between investment and subsidy. The arts earned the country £6 billion.

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Vegetarian converts 'total 30,000 a week'

By MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

ADULTS are deserting meat and fish at the rate of about 30,000 a week, a survey by the Vegetarian Society claimed yesterday.

The society said an estimated 3.6 million people over the age of 11, or 7 per cent of the population, now described themselves as vegetarians, and that a further 4.6 million people avoided red meat but still ate fish and chicken.

The claims have been dismissed by the Meat and Livestock Commission, which says that non-meat-eaters account for no more than 2 per cent of the population. Beef consumption, it says, is down 8 per cent on a decade ago but pork, lamb and poultry are being eaten in greater quantities.

The Vegetarian Society's findings were released at the launch of its first national campaign aimed at adults. Juliet Gellatley, campaigns director, said that the society wanted to make more people aware of meat-eating's destructive impact on the environment and its role in worsening food shortages in developing countries as well as to promote the benefits of a vegetarian diet for human health and animal welfare.

She said the world's cattle ate enough food to meet the caloric needs of almost twice the world's human population and farm animals drank 80 per cent of all water supplies.

"Our demand for animal feed in the West has meant that many Third World countries are forced to grow food for export rather than for feeding their own people. Very often this trade is a condition of

Third World aid. We must act now to reverse this cycle of destruction and deprivation," she said. The society's survey, carried out by Bradford University and based on interviews with 942 adults and 2,651 children aged from 11 to 18, claims that there are 1.5 million more vegetarians than in a Gallup survey a year ago.

One in ten women is a vegetarian and female adults are more than twice as likely than men to be vegetarians. Three in four vegetarians said that they had stopped eating meat and fish because of concern with the way animals were reared and slaughtered.

One of vegetarianism's most publicised recent converts, Richard Lacey, professor of microbiology at Leeds University, said that his family had gradually stopped eating meat because of his concern that the "mad cow" disease, bovine spongiform encephalopathy (BSE), could pass to humans, a risk he said had been played down by the government.

Professor Lacey said that the disease was grounds on its own for becoming a vegetarian. He claimed that there was a 60 per cent chance that the first BSE-caused cases of Creutzfeldt-Jakob Dementia, the human form of spongiform encephalopathy, would start to appear "in about 1996, with a peak from 2006 to 2016".

He also claimed that animals and poultry were responsible for 95 per cent of food poisoning incidents, whereas poisoning caused by vegetable matter was rare.



Barbara Milner, assistant curator, and Ann Hopkins-Clarke, chairman of the friends of the museum, preparing for the Ernest Cook collection

Glory of shy art collector revealed

ONE of Britain's finest art collections, which has been dispersed across the country since its creator's death 36 years ago, has been brought together again for an exhibition in his home town (Simon Tait writes).

Ernest Cook, grandson of the founder of Thomas Cook, was a passionate but retiring collector of art with a special enthusiasm for the 18th century. In his collection were works by Turner, Stubbs, Tiepolo, Zoffany, Gainsborough, Raeburn and Reynolds, and over 200 pieces of decorative art, which he kept in his Georgian home in Bath.

No Cook museum was created to house his collection, nor even a Cook gallery in the V and A. When he died aged 90 in 1955 it was left to the National Art Collections Fund, so that now almost 100 museums and galleries have items from the collection. Its value now is about £50 million.

The exhibition of his reconstructed collection opens today at the Holburne Museum in Bath, closing on September 1.

Man receives portable 'heart'

By NIGEL HAWKES, SCIENCE EDITOR

THE first fully-portable artificial heart has been implanted into a patient at a hospital in Houston, the Texas Heart Institute announced yesterday.

The operation was carried out last Thursday on a man aged 52 who would have died without the battery-operated device. The patient is still in a critical condition at St Luke's Episcopal hospital in Houston.

The artificial heart was made by Thermo Cardio-systems Inc. in Woburn, Massachusetts. Unlike earlier devices, which have been powered by air pumped from

a compressor, limiting the movement of the patient, the HeartMate pump given to the Houston patient is powered by a battery pack worn around the waist.

The pump supports the operation of the left side of the heart, which does most of the work. It is implanted in the abdominal cavity below the patient's own heart and takes blood leaving through the left ventricle and pumps it into the vascular system.

The implant is not intended to be permanent but to be used until a human heart is available for transplantation. Institute officials said that the

Pirates exchange cutlass for hi-tech maritime mayhem

By MICHAEL DYNES, TRANSPORT CORRESPONDENT

MODERN pirates, engaging in ship theft, cargo removals, and insurance fraud, are costing the international shipping community millions of pounds a year, Eric Ellen, the director of the International Maritime Bureau, said yesterday.

More than 1,000 acts of piracy on the high seas have been reported during the past decade, mostly in South-East Asia, Africa, and the Caribbean, and ranging from brutal attacks on small fishing vessels to the theft of a loaded oil tanker from the Philippine government.

Evidence has emerged confirming industry suspicions that the recent increase in piracy is the work of organised crime syndicates operating with advanced maritime technology and an elaborate underground banking system, who are systematically preying on the world's shipping lanes, Mr Ellen said.

In one incident reported earlier this month by *Lloyd's List*, the shipping newspaper, masked pirates armed with automatic weapons, hijacked the merchant vessel Hai Hui in Vietnamese waters, and escaped with cargo worth nearly £130 million. The ship was waiting to be manoeuvred up the Mekong river to a port near Phnom Penh when 20 pirates boarded it, handcuffed the crew, and took 400 tonnes of electrical goods, motorcycles, and beer.

Pirates appear to have seized the oil tanker Tabago, which disappeared in the southern Philippines in March, carrying 33,000 barrels of petroleum products. The Philippine navy, quoted by *Lloyd's List*, said: "There are many pirates in that area. We would have found the tanker after scouring the area for more than a

week. There would have been some trace if the tanker sank."

In a similar incident in November two Australian vessels were attacked off the coast of Singapore. The ships were boarded by armed, masked pirates who forced the captain to open the ship's safe, stole more than £6,000 in cash, and ransacked the cabins. The ship's owners said that the pirates were very professional. "They pick up the ships at night on radar, use speedboats to come alongside, and then throw up grappling hooks to clamber on board."

Piracy has been a feature of all periods of history. The Phoenicians, Greeks, and Romans engaged in it throughout classical antiquity. During the Middle Ages Vikings to the north and Moors to the south practised it extensively. Piracy flourished during the Elizabethan wars with Spain when treasure laden galleons

sailing the Caribbean were favoured targets. Blackbeard, perhaps the most well known English pirate, made a name for himself during the 18th century for his outrages on the eastern coast of America. During the early 19th century, the Barbary states of North Africa became notorious for piracy, until suppressed by American, British, and French seapowers.

Although piracy largely died out earlier this century, Mr Ellen, who runs the only international organisation fighting maritime crime, believes the practice has been revived by Hong Kong, Taiwanese, Singaporean, Thai, Malaysian, and Indonesian crime syndicates, which have established extensive business contacts in Japan, Korea, Vietnam and North America.

Mr Ellen says that many vessels which appear to have been lost at sea have been stolen to order. Their cargoes are sold on the black market, and the vessels are repainted and renamed, enabling the syndicates to pose as legitimate shipping companies, and pick up new cargoes, which are never seen again. Also on the increase is the chartering of old rust buckets, like the *Wing Tai*, which was impounded by the Shanghai authorities in November after the captain attempted to divert a £1.7 million rubber cargo destined for the United States to China.

According to Mr Ellen, unless shipping companies tighten up the procedures for verifying the origin of vessels, and local law enforcement is improved, particularly in developing countries, piracy and maritime fraud will continue to cost the industry millions of pounds each year.



Blackbeard: infancy off the American east coast

Classroom journalists are praised

SCHOOL journalists were praised yesterday by Kenneth Clarke, the education secretary, who said that they were proof of the education system's success (David Tyler writes).

Mr Clarke presented the prizes in a newspaper competition for schools run by Campus 2000, a joint venture between *The Times* Network Service and British Telecom. He said that the entrants had displayed skills in many national curriculum subjects, such as design and information technology.

Simon Jenkins, editor of *The Times*, which has been connected with the competition throughout its five years, said: "The quality has improved steadily and the competition shows that student journalism is not just about producing a newspaper but learning about life outside."

Winners: Primary: 1, Littlethorpe, West Lothian; 2, Dornoch Endowed, Sutherland; 3, Dornoch Endowed, Sutherland; 4, Dornoch Endowed, Sutherland; 5, Dornoch Endowed, Sutherland. Secondary: 1, Kings, Worcester; 2, Shropshire, Shropshire; 3, Kent, Kent; 4, Kent, Kent; 5, Kent, Kent. Tertiary: 1, Here, Here; 2, Here, Here; 3, Here, Here; 4, Here, Here; 5, Here, Here.

Tax protester jailed

The first pensioner in Britain to be jailed for not paying the poll tax began a two-month jail sentence last night. Norman Laws, aged 71, a retired soldier, of Hebburn, Tyne and Wear, was given 28 days to pay his £309 community charge when he appeared before magistrates in April.

Mr Laws appeared before South Shields magistrates again yesterday but refused to pay up "as an act of civil disobedience".

Police damages

Eleanor Bird, aged 27, a policewoman who was shot in the leg by a wax pellet fired by a colleague, won £4,500 damages and costs yesterday in an out-of-court settlement at the High Court in Birmingham. She had sued West Midlands police for negligence over the shooting at Birmingham airport in 1986.

Snake farm

Luke Yeomans, aged 27, who kept 106 poisonous snakes and five crocodiles at his farm at Eastwood, Nottinghamshire, was fined £250 with £350 costs yesterday by Nottingham magistrates for offences under wild animal acts.

Dolphin charge

Alan Cooper, aged 38, of Gorton, Manchester, was committed to trial by magistrates at Alnwick, Northumberland, charged with indecency with a dolphin.

300 jobs go

The 300 workforce at Castle Cement, Pilsone, Buckinghamshire, is to be made redundant in August.

Wrong direction

A customs officer who drove her car for ten miles on the wrong side of a motorway after losing her spectacles was yesterday given a four months' suspended prison sentence, fined £1,000 and banned from driving for two years. Rebecca Ventham, aged 24, of Southampton, pleaded guilty before Eastleigh magistrates to reckless driving and failing to provide a breath specimen.

Front rejected

The International Convention Centre, Birmingham, has rejected a request by the National Front to hold its party conference there in October.

Prostitute killed

Glenda Potter, aged 32, a prostitute from Chatham, Kent, was found dead yesterday in the grounds of a church in Rochester.

Hot air blast

National Union of Farmers members in Hampshire want to fine hot air balloonists who land in their fields, crushing corn.

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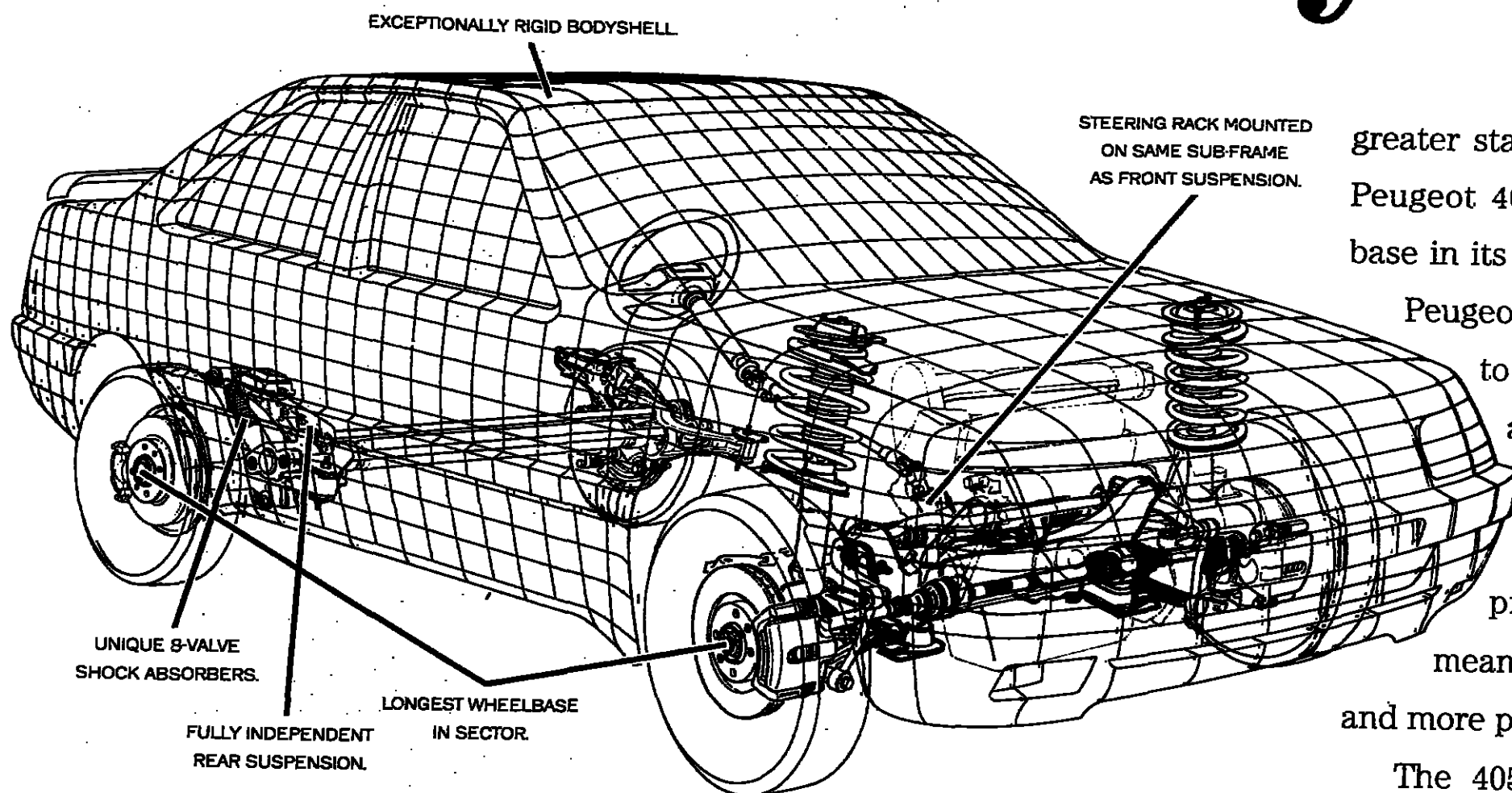
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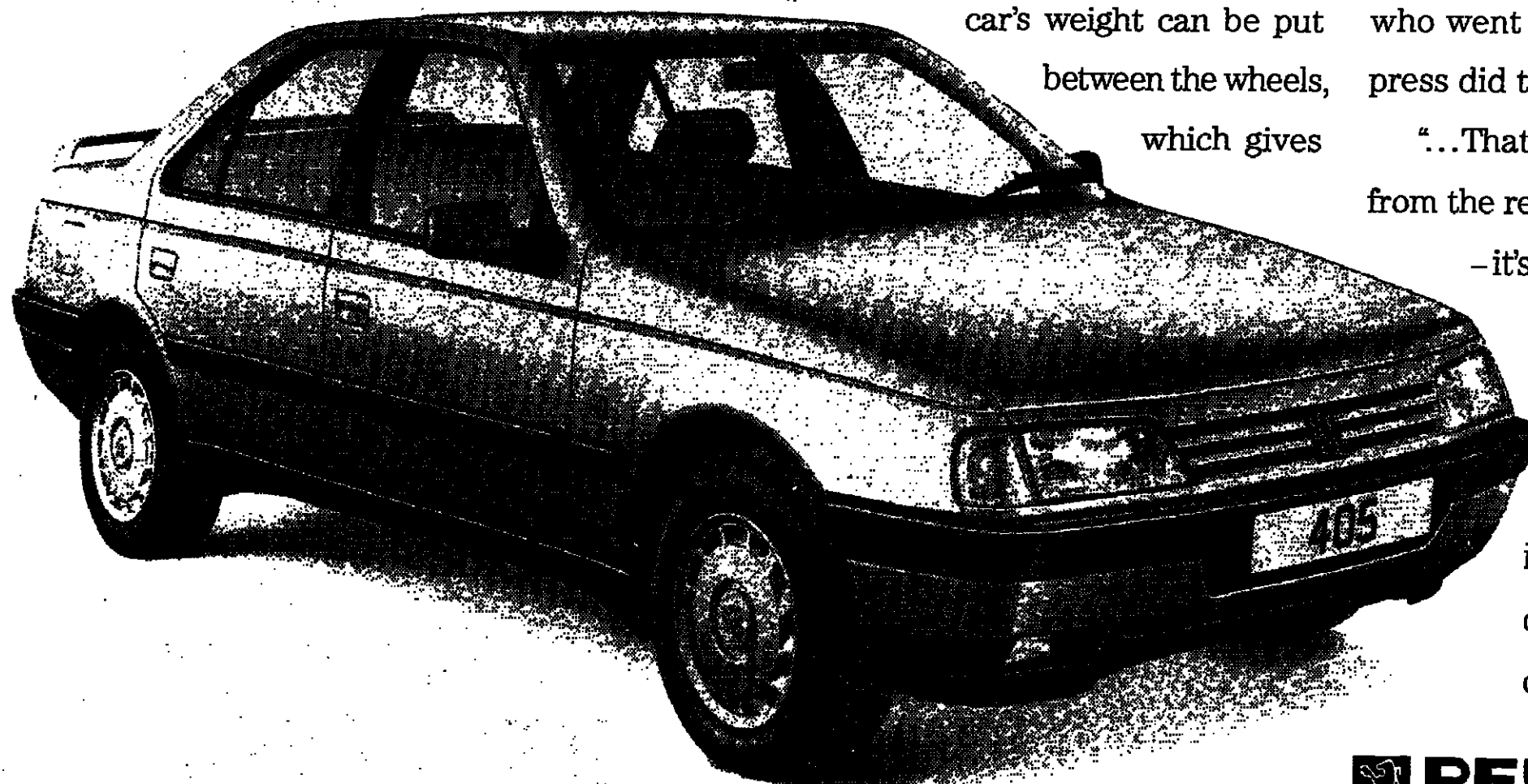
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PEUGEOT 405
THE LION GOES FROM STRENGTH TO STRENGTH

Saddam keeps allies guessing as he spins out talks with UN

By MICHAEL BINYON, DIPLOMATIC EDITOR, AND JAMES BONE IN NEW YORK

THREE Iraqi soldiers fired at a US army helicopter over the allied security zone in north Iraq yesterday. The incident, involving small-arms fire, occurred as the West grew increasingly concerned about the future of the United Nations peacekeeping effort.

In spite of allied insistence that he is a beaten man who must comply with the victorious allies, President Saddam Hussein has so far managed to block all proposals for the UN to take over the security of the Kurdish havens in Iraq. Until the UN can agree with the Iraqi leader on how and when an international police force should replace allied troops, nothing can change. Javier Pérez de Cuéllar, the UN secretary-general, will not call

on member nations to provide the manpower and the allied forces will stay on the outskirts of Dahuk.

London and Washington fear that the allied troops might have to stay there for months. Iraq appears increasingly confident that Western attempts to encourage the overthrow of Saddam will fail, and he is trying to outflank the UN by negotiating directly with Kurdish leaders, while maintaining opposition to the concept of the havens.

Señor Pérez de Cuéllar said negotiations for up to 500 lightly armed police to take over from the Western troops were continuing with Baghdad. But he would not confirm an announcement by the State Department that a preliminary

agreement had been reached.

The negotiations in Baghdad were started by Prince Sadruddin Aga Khan, the UN envoy for humanitarian relief in the Gulf, and were continued on Tuesday by Bernd Boraander, his deputy. Prince Sadruddin has expressed optimism that agreement will be reached with Saddam.

But Western diplomatic sources in New York said yesterday that several important issues about the possible UN police force remained unresolved, and that Prince Sadruddin might have to return to Baghdad to nail down an agreement. It was still not clear what the force's mandate would be, how much mobility it would have, and what guarantee there would be that Baghdad could not simply tell it to leave at some future date. The force's deterrent effect would derive from the fact that it would report any Iraqi abuses to the secretary-general, who would then pass the information to the security council, which will decide when sanctions on Iraq should be lifted.

UN experts from the International Atomic Energy Agency began inspecting Iraq's nuclear facilities yesterday under the Gulf war ceasefire terms requiring destruction of its most lethal weapons. The 34-member team is the first of several disarmament groups due to examine Iraq's arsenal.

The West's public support for the overthrow of Saddam gives him little incentive to seek accommodation with the allies. They have made it clear sanctions will not be lifted as long as he is in power.

As he grows increasingly confident of his security at home, Saddam appears more willing to risk a confrontation with allied troops in Iraq and in no hurry to approve arrangements that would enable them to leave.

Iraqis queue for taste of freedom

From REUTER IN BAGHDAD

IRAQIS queued in their thousands under armed guard for passports and exit visas yesterday after President Saddam Hussein lifted a blanket ban on leaving the country, imposed before the Gulf war.

"This is part of freedom," one middle-aged man said at the Baghdad central passport office in the hope of visiting his daughter in Britain. "On the Iraqi side the service was good. The problem now is getting a visa."

The travel ban was lifted for the first time since Iraq invaded Kuwait last August and for only the second time since it was introduced in 1982 during the Iran-Iraq war. There were long queues at passport offices yesterday despite restrictions preventing Iraqis from taking out foreign currencies.

At the central bus station in the capital, a group of 40 people, laden with suitcases and carrier bags, boarded an air-conditioned bus for Jordan. The road to Amman is at present the only way to leave Iraq.

Most people interviewed said they wanted to visit Jordan, one of the few places where the Iraqi dinar is convertible. "It's natural for anybody who wants to travel. It's just for a holiday, not for good. Why should people leave Iraq?" one man said.

Many members of Iraq's minority Christian community say privately that they do want to leave for good. They say that they have faced hostility from Muslim neighbours who identified them with the "Christian West" during the Gulf war.



Behind the barricade: two Kurdish girls sitting at the edge of the Kani Masi refugee camp on the border between Turkey and Iraq. Many children in the camp are unable to

play as there are Iraqi mines on much of the surrounding land. Lieutenant-Colonel Paul Wisniewski, a logistics officer, said yesterday that American troops could no longer guarantee

shelter to the 40,000 refugees in the allied camp at Zakho, in northern Iraq, as the allies are running out of tents. "The refugees have been asked to bring their tents with them."

Egyptian picked to bind Arab wounds

From CHRISTOPHER WALKER IN CAIRO

ESMAT Abdel-Meguid, an Egyptian who helped negotiate Britain's evacuation of the Suez Canal, was yesterday unanimously elected secretary-general of the Arab League as the 21-member organisation struggled to overcome the bitter division caused by the Gulf war. But Iraqi and Kuwaiti ministers clashed during the session in Cairo, their first face-to-face recriminations in an Arab forum since the Gulf war.

Sheikh Salem al-Sabah, Kuwait's foreign minister and chairman of what had been billed as a reconciliatory session, forcefully condemned the "crimes" of Iraq's invasion and occupation of the emirate last autumn. Muhammad al-Sahhaf, Iraq's minister of state for foreign affairs, responded by accusing the Kuwaitis of "bickering and gloating" so as to open wounds which Baghdad was trying to heal.

Dr Abdel-Meguid, aged 68, foreign minister of Egypt from

1984 until his resignation yesterday, is a strong advocate of close ties with the West and of Egypt's 1979 peace treaty with Israel, which he also helped shape. His election completed Egypt's return to the centre of the Arab stage after more than a decade of isolation.

A lawyer turned diplomat, the soft-spoken Alexandrian is known as a tough negotiator. His main task will be to repair the rift between those members led by Egypt, Saudi

Arabia and Syria who supported the action to force Iraq from Kuwait and those led by Jordan, Yemen and the Palestine Liberation Organisation who opposed it.

Yesterday's vote came at the start of the first ministerial session of the league since the Gulf conflict split it into opposing camps. But the division remains so deep that much of the business was postponed until the next session in September to give

temper more time to cool.

Israel has been at pains to try to pin the blame for the failure of the Baker mission on Syria, which must shoulder some responsibility. However, Israel is unlikely to escape without incurring the anger of the White House and the State Department.

Baker issues final plea to Israel

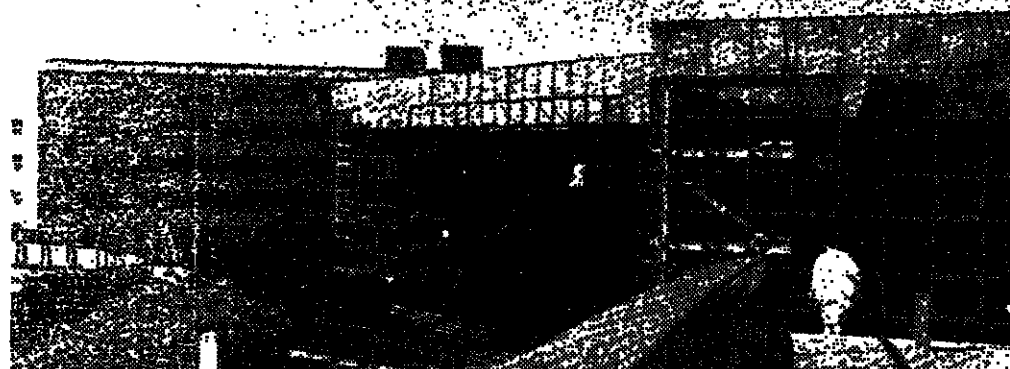
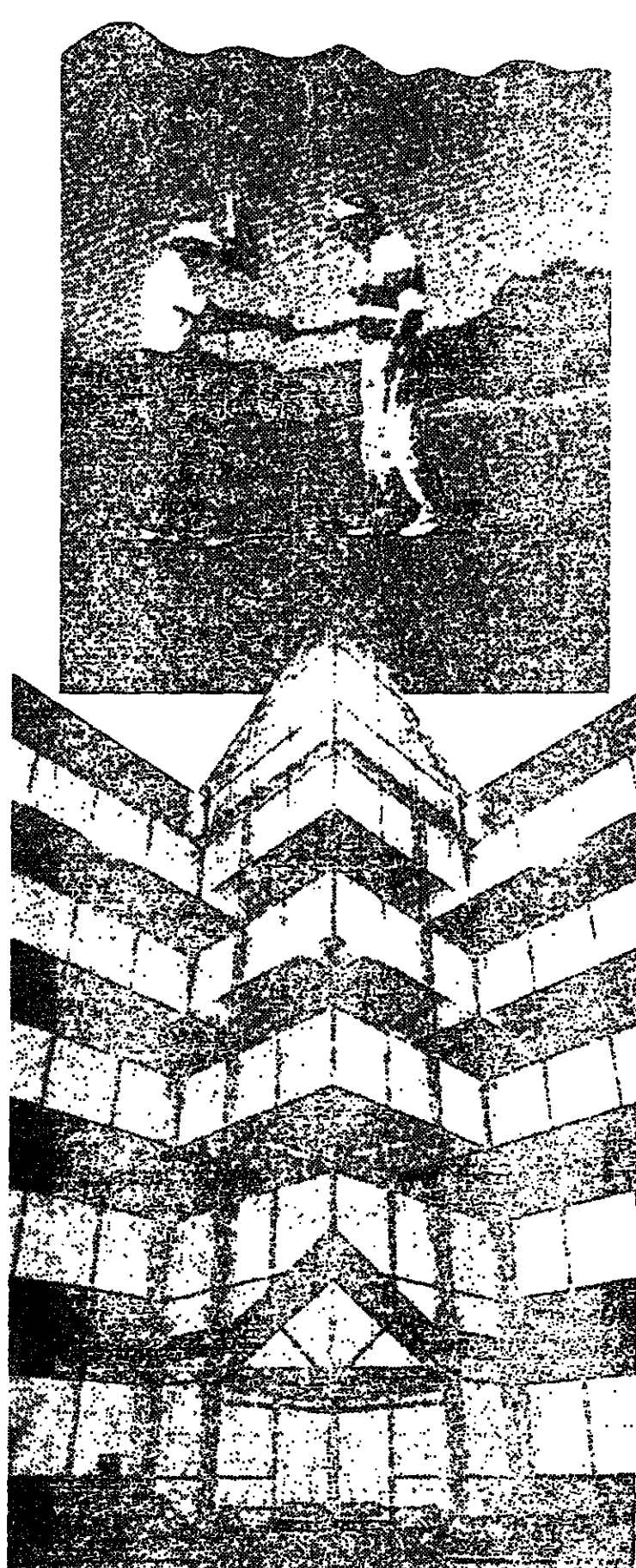
From RICHARD BEESTON IN JERUSALEM

A GRIM James Baker, the American Secretary of State, made what was expected to be his last serious effort to win concessions from Israel yesterday as he prepared to return to Washington today with little progress to show from two months of shuttle diplomacy in the Middle East.

In two rounds of talks with Yitzhak Shamir, the prime minister, David Levy, the foreign minister, and Moshe Arens, the defence minister, Mr Baker made a final plea to Israel to show some flexibility on Washington's peace initiative and to help bridge the gaps that separate the Arab and Israeli positions. However, observers said that it would probably take a miracle to shift the right-wing government of Mr Shamir, particularly since Syria's hardline regime also failed to offer concessions.

If the peace process breaks down, it will be partly attributable to Israel's insistence that the United Nations should not take part in the peace conference, that the conference should be a one-time event, and that Palestinians living in Arab east Jerusalem cannot be represented in a Palestinian delegation. The argument over the procedural questions highlights what Western officials have suspected, namely that the current Israeli government under the present leadership is not ready to make peace with its Arab neighbours, partly because it mistrusts Arab intentions and it is concerned about security, and partly because it believes that the Arab territories, occupied in 1967, can one day be completely colonised.

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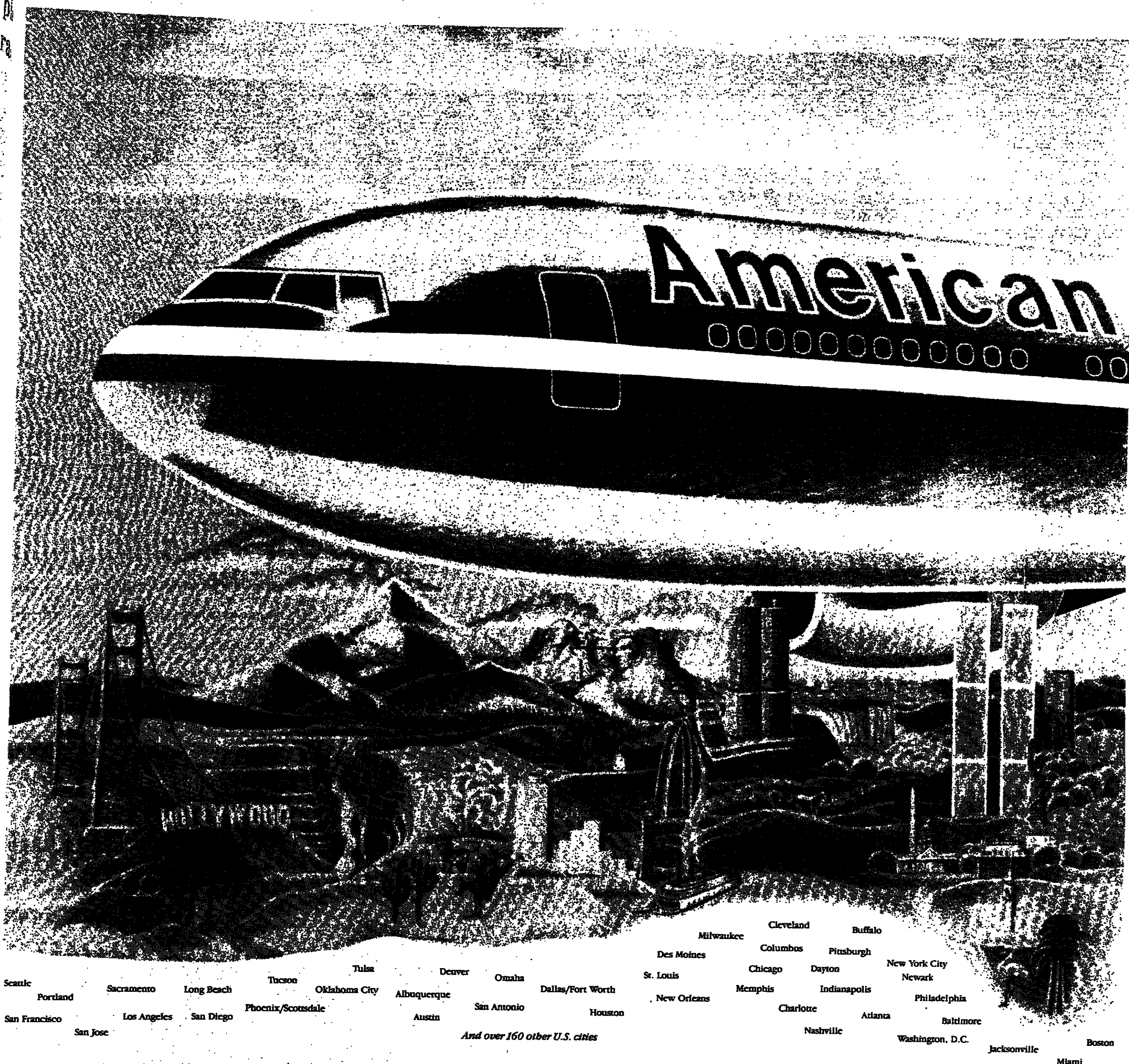
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	Leave	Arrive	Flight No.	Service Effective
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Chicago	09:55	13:00	87	2 July 1991
Chicago	13:45	16:25	47	2 July 1991
Los Angeles	10:30	14:30	137	21 July 1991
Miami	10:00	15:10	57	2 July 1991
Newark, NJ	11:00	14:25	115	2 July 1991
New York (JFK)	09:00	11:50	101	2 July 1991
New York (JFK)	11:30	14:20	105	2 July 1991
New York (JFK)	18:00	21:00	107	2 July 1991
From: Gatwick				
To: Chicago	10:05	13:20	87	13 June 1991*
Chicago	13:25	16:40	47	2 June 1991*
Dallas/Fort Worth	10:40	14:50	51	Current
Dallas/Fort Worth	13:00	17:25	79	Current
Miami	10:00	15:05	57	Current
New York (JFK)	12:15	15:15	7	21 July 1991
From: Manchester				
To: Chicago	10:25	13:00	55	Current
New York (JFK)	12:00	15:00	93	2 July 1991
From: Glasgow				
To: Chicago	13:30	16:00	53	Current

*From Heathrow as of 2 July 1991. All flights are daily.

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Germans clash with UK on Nato corps

Bonn — Despite strong British opposition, Germany wants to play a leading role in the 100,000-strong European rapid response corps being planned by Nato, Gerhard Stoltenberg, the Bonn defence minister, told Tom King, his British counterpart, when the two met in Bonn last night (Ian Murray writes).

The rapid response corps is being created as a highly mobile force capable of being deployed at short notice to deal with potential threats to security. Britain, which is almost certain to be given command of the corps, insists it must be available to be sent anywhere in the world where a conflict could endanger European and world peace.

Since the Bundeswehr cannot, for constitutional reasons, be sent out of Nato's area, Britain does not want the new force to have to rely on it. Mr King wants Britain to provide the bulk of the force so that there is no danger of delay in deployment, as happened during the Gulf conflict.

Herr Stoltenberg, however, is determined to find a way to allow the Bundeswehr to be used in the defence of peace throughout the world.

US visit boosts Baltic standing

Riga — The United States sent another signal to Moscow to pursue peaceful negotiations with the Baltic republics with the visit of Curtis Kamman, a deputy assistant Secretary of State, who is the most senior American official to have visited the region (Anatol Lieven writes). He spent a day in Riga and arrived in Lithuania last night. The visit shows the boost to Baltic relations with the West given by the Soviet army's intervention in the region in January. Until then, the response of Western countries to the Baltic struggle had been at best lukewarm.

Prison escape

Moscow — Nine long-term prisoners at a prison near Kaunas in Lithuania, burrowed into sewers and demolished a wall in a breakout, *Pravda* reported. One man has already been caught and a manhunt is under way to recapture the remaining eight. (Reuters)

Ukraine trial

Kiev — The "political" trial of Stepan Khmara, the Ukraine's pro-independence deputy, was again postponed after scenes of disorder in the republic's supreme court. As Mr Khmara denounced Soviet justice as a mockery, 1,500 of his supporters stood outside the troop-ringed court demanding to witness the trial.

Kennedy charge



Quincy, Massachusetts — Joan Kennedy, above, the former wife of Senator Edward Kennedy, failed to appear in court here to face charges of drunken driving and was ordered to appear today. Mrs Kennedy, aged 55, was arrested on Tuesday night. (Reuters)

Serbs veto election of Croat as president

By TIM JUDAH IN ZAGREB, DESSA TREVEIAN IN BELGRADE AND OUR FOREIGN STAFF

COMMUNIST Serbia yesterday blocked the election of Stipe Mesic of Croatia as Yugoslavia's first non-communist president, plunging the Balkan federation yet deeper into a constitutional mire.

The Tanjug news agency said that Mr Mesic, aged 56, a former political prisoner, fell one vote short of the five he needed in the eight-man body. His republic, which is seeking some form of independence, failed to win the votes of representatives from Croatia's rival, Serbia, and its three allies. The defeat could hasten Croatia's moves to leave Yugoslavia, possibly pushing the country into civil war.

Each of the eight members of the presidency — representatives of Yugoslavia's six republics and of Serbia's provinces of Vojvodina and Kosovo — normally serve one year as chairman. The annual transfer had taken place as a mere formality until this year.

Mr Mesic would have succeeded Borisa Jovic of Serbia

the intervention of the army even against its will.

Before the presidency resumed its session, Mr Mesic blamed Serbia as the main culprit for causing Yugoslavia's problems. He said that Serbia was intent on destroying all the legal institutions in order to wreck the federation, so that on the ruins of it a "greater Serbia" could be built. Sources said that Slobodan Milosevic, Serbia's hardline Communist leader, who has encouraged Serb nationalism, apparently felt he could not stay in power if he allowed Mr Mesic to become federal president. Mr Mesic said a deadlock over his election would "provoke Croatia to start steps toward secession". He added: "The only way I could be prevented from becoming president is if there were a war in Yugoslavia. But there is too little time left for a war to erupt."

In the case of a deadlock a temporary president should be elected, though there is no established method of breaking a deadlock. Next in line would be the representative of Montenegro. But the republic's representative on the presidency is only temporary and therefore ineligible.

Mr Mesic had needed an absolute majority of five votes on the body, but received only four — his own and those of the republics of Macedonia, Bosnia-Herzegovina and Slovenia. Serbia and its provinces of Vojvodina and Kosovo voted against Mr Mesic.

The awkward presidential system was designed under Tito to block the kind of ethnic bickering that is now tearing Yugoslavia apart. Every year since Tito's death in 1980, the transfer has taken place normally.

Thousands of national flags decorated Zagreb's streets, and shop windows were full of posters urging Croatians to cast their ballots in favour of the loosest possible form of Yugoslav confederation in Sunday's referendum.

Photocall entrée to state dinner

FROM PETER STOTHARD, US EDITOR, IN WASHINGTON

THEY do not do things this way at Buckingham Palace. When President Bush's state-dinner guests arrived at the east wing of the White House on Tuesday night, the first people whom they met were not the royal visitors, but a long line of reporters and flashing cameras. The only ones who looked at all disquieted were those whom the reporters did not want to interview.

General Norman Schwarzkopf, the Gulf commander, and his wife Brenda, were among the few to whom the reporters wanted to speak. But they did not want to talk — particularly about the much-murmured knight-hood that the Queen may confer on him next week. Richard Cheney, the defence secretary, was also reluctant, saying: "This was a night for the Brits". General Colin Powell, chairman of the joint chiefs of staff, and his wife Alma held a brief discussion on stability in northern Iraq while others waited impatiently for their turn.

As soon as the well-represented military detachments had passed through, the porch of the east wing could justifiably have been renamed "Loquacity Hall". Arnold Palmer, with his wife Winifred, recalled his past golf games with the Duke of Edinburgh. Douglas Fairbanks Jr discussed his med-

als and how he had known the Queen "since she was a little girl".

Jessica Catto, wife of the former American ambassador to London, accepted graciously admiration for her full yellow low-cut dress — a Scassi. Barbara Bush wore a Scassi too. Arnold Scassi then followed to receive congratulations from the press on how wonderful Mrs Catto and Mrs Bush looked. Henry Kissinger had attended "more state dinners than I can count" with his wife Nancy, wearing what was said to be the most expensive dress of the evening. The former Secretary of State said the Queen was a "tremendous lady, the Prince of Wales an interesting man", and "the others I don't know".

The average age of the guests was high; one experienced observer described it as the "greyer set", an American way of suggesting that some participants might be happier in bathchairs. It was, however, a "very happy occasion", according to a spokesman, except, it seemed, for those who had thought that everyone would be photographed and interviewed.

It would be uncharitable to identify the couple who posed before dark flashguns and silent questioners until they were moved on. It would also be impossible: nobody could remember their names.

Brussels alert after racial riots

FROM GEORGE BROCK IN BRUSSELS

RIOT police were on duty across Brussels last night after sporadic disturbances between African immigrants and police had erupted earlier in the week. Running battles between several hundred young Turks and Moroccans throwing stones and petrol bombs and police began in the Forest area of the city on Monday evening after a pattern now familiar to many large European cities with immigrant communities, although such tensions have been rare in Belgium.

Trouble had spread to two other parts of the city by last night, but police have had little difficulty containing the

trouble. Young immigrants living in what are becoming small North African and Turkish ghettos dotted across the staid Brussels landscape complain of lack of facilities and housing and discrimination by the police.

Legions of incoming Eurocrats and businessmen are rapidly pushing up rents in the centre of the city, and the complicated Brussels system of local government has made it slow to adapt. Police and municipal authorities are criticised for laxity and indulgence towards immigrants. Some local politicians accuse Flemish nationalist parties, the most vocal opponents of open

immigration policies, of provoking trouble.

About one-fifth of the Brussels population of one million are thought to be non-Belgian, though no reliable statistics exist because of illegal immigration. A councillor from one of the green parties, Ecolo, estimated that half the city's young people were immigrants.

French-speaking North Africans from Morocco, Algeria and Tunisia are attracted to Brussels because it is a French-speaking island in the Flemish part of Belgium, and by the large number of jobs created by the headquarters of the European Community.



An avoyer: Michel Rocard has his eyes set firmly on the French presidency in 1995 after his resignation as prime minister yesterday

Rocard lives to fight a bigger battle

FROM PHILIP JACOBSON IN PARIS

MICHEL Rocard has been in French politics long enough to understand that the post of prime minister is subject to presidential whim. His resignation to make way for Edith Cresson will in no way deter him from planning a run at the presidency in 1995.

At the age of 60, still liked and trusted by a majority of voters — despite the generally scathing judgment the public passes on their elected representatives — M Rocard could do worse than retreat to the Socialist backbenches and plan his strategy for the campaign to replace President Mitterrand.

M Mitterrand himself, no friend of M Rocard, believes that he is the only viable candidate of the left. The two men could hardly be more different in approach or in temperament. They were once rivals for the leadership of the Socialist party and M Mitterrand has never forgiven the younger man for it. Yet each recognises in the other qualities that sets him apart from the ordinary French politician.

According to leaks from the Elysée Palace, M Rocard's face simply did not fit the image that the Socialists are eager to portray ahead of the local elections in March next year: themselves a vital indicator of what could happen in the parliamentary contest a year later. There has been much talk lately about the need for a new élan, roughly translated as a "second wind", for a minority government that has been looking very tired for rather too long.

Despite the evidence of the opinion polls that M Rocard's pragmatic brand of social democracy is going down well enough in the country, the left

wing of the party is intent on making its influence felt more directly before the serious campaigning begins. Whether Edith Cresson as prime minister is the answer to their prayers is another matter entirely: she may have backed M Mitterrand, consistently over the three tricky years in which his differences with M Rocard have become steadily more apparent, but the idea that she is any more staunch a Socialist in the traditional manner than the man she is replacing is questionable.

Mme Cresson may also find it difficult quickly to establish the sort of relationship that M Rocard had developed with voters at large — his obvious honesty, his distaste for the pomp and ceremony of office, in sharp contrast to the increasingly imperial leanings of the president, won him genuine affection.

Cartoonists delighted in depicting M Rocard as an eager beaver, dashing around to little avail while M Mitterrand looked on in supercilious amusement, but he still became "Rocky" to those who recognised his qualities of honesty and endeavour.

M Rocard's natural enthusiasm and appetite for the sheer slog of the prime minister's job was inevitably affected by the relentless gossip, mostly originating in the Elysée Palace, that his number would soon be up.

M Rocard has been looking tired lately, a consequence of the difficulties his government faced in pushing important legislation through parliament. He now has a chance to recharge the batteries for a new challenge.

Fearless fighter, page 18
Resignation, page 1

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India's poor gain key to general election victory

From CHRISTOPHER THOMAS
IN DELHI

THE most wretched of India's poor will decide the outcome of next week's general election. Neglected and isolated, the Harijans (untouchables) and Muslims comprise 29 per cent of the electorate, but they have never been so politically active as now.

Parwana Rudaulvi, the joint editor of *Nai Duniya*, an Urdu daily newspaper, says Muslims have a duty to turn out in large numbers to vote against a tide of Hindu extremism that he believes is threatening the survival of the country's 110 million Muslims. He says the main threat comes from the right-wing Hindu organisation, the Bharatiya Janata Party (BJP), and its smaller sister groups, including the Vishwa Hindu Parishad. These parties believe Muslims should not be entitled to a separate common law, which permits more than one wife, and they are demanding a national ban on the slaughter of cows, which they regard as holy.

The *Nai Duniya* editorials reflect the panic felt by Muslims that the BJP, which has 86 MPs in the 544-member



Advani: reinforcing Muslim election fears

Lok Sabha (lower house), might come to power. Their fears have been reinforced by the accusations made by Lal Krishna Advani, the BJP leader, that the partition of India was a historic blunder flowing from policies of "appeasement" towards Muslims.

Traditionally most Muslims have voted for the Congress party, a legacy of Mahatma Gandhi's compassion for minority communities. In the 1989 election, however, the vote splintered because of disenchantment with Rajiv Gandhi, the Con-

gress (I) leader. Yet Muslims might return to the party in large numbers, if only to block the BJP. "I am sure you will find the Congress taking the lion's share," Mr Rudaulvi said. "If our votes were to split among many parties, this would help the extremists. Congress has made some mistakes, of course, but we must do everything to keep out the BJP."

Muslims are disproportionately poor because those who were better educated and wealthier fled to Pakistan in 1947. Only now are significant numbers of those who remained behind moving into positions of influence in industry, politics and commerce.

The same is true of Harijans, the most brutalised of all Indians. Their jobs are usually related to excrement and death and they live in separate villages, lest they contaminate caste Hindus. Some convert to Christianity or Sikhism to escape victimisation.

Kanshi Ram is the nearest the Harijans have to a true leader. The Congress party has traditionally captured their votes, because of Mahatma Gandhi's fight against un-

touchability, but their lot has not improved much. Mr Ram heads the Bahujan Samaj Party which captured three seats in 1989. Harijans comprise 17 per cent of the population and most people expect Mr Ram's party to do better this time. He is attempting to broaden his appeal to include any minority group that feels threatened by the BJP brand of strident Hinduism. The Congress party is worried by this challenge to two of its most solid vote banks, which could further weaken the predominant position it has held since independence 44 years ago.

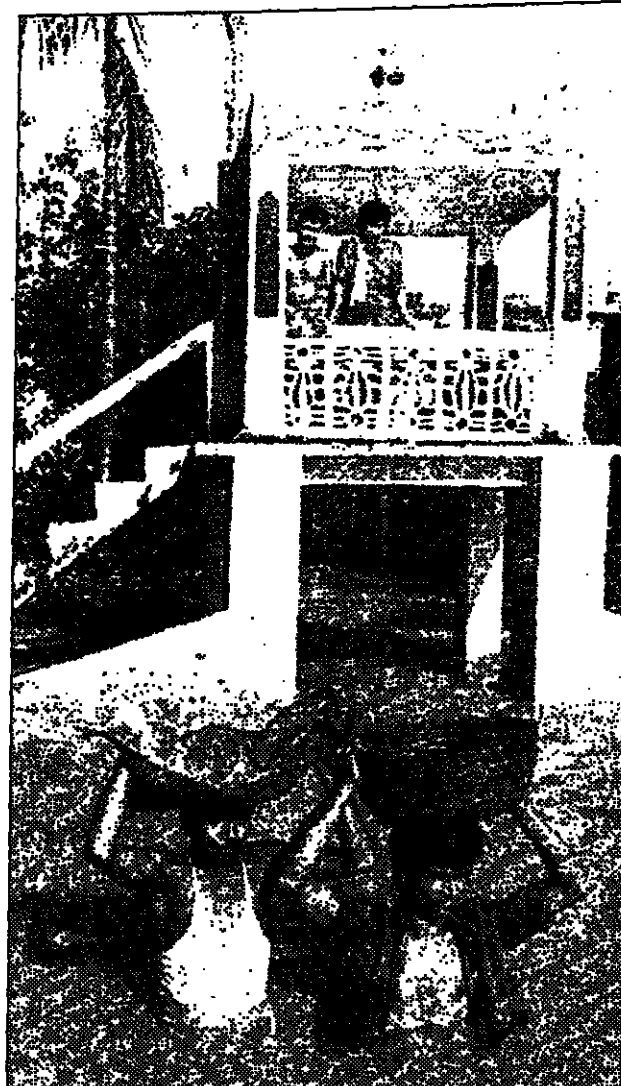
● Punjab shooting: A candidate in next month's state assembly elections in Punjab has been shot dead, allegedly by Sikh militants, the Press Trust of India news agency reported. Two armed men forced their way into the house of Baljinder Singh, who was standing as an independent in Jalandhar district, and shot him on Tuesday night. Six candidates have been killed during the campaign for the June 22 election. Under Indian law, the death of a candidate cancels the election for that seat. (Reuters)

US troops bring in cyclone relief

Dhaka — Five American army helicopters ferried food and medicine to cyclone survivors along the southeastern coast of Bangladesh, beginning a big relief effort. Two US C130 cargo planes also brought in supplies from Dhaka, where they had piled up for lack of transport.

About 7,000 troops, some of them Gulf war veterans, were to reach Bangladesh later in the day on eight ships, and a 15-truck convoy was to leave from India with 150 tons of rice. The rice is the first consignment of 5,000 tons promised by Chandra Shekhar, the Indian prime minister. Mother Teresa, the 80-year-old Roman Catholic nun, also sent in more supplies.

Some opposition legislators criticised the American effort as a threat to the nation's sovereignty, but the parliamentary Speaker, Abdur Rahman, rejected their calls for a debate. About 30 per cent of Bangladesh is now affected by natural disasters. (AP)



High and dry: Manvi Bazar villagers salvage possessions

America offers Manila arms in bases deal

Manila — The United States has offered the Philippines weapons as part of a deal to allow American bases to remain in the country. Brigadier-General Feliciano Gacis, a member of the Manila team, said the amount of military equipment could be worth up to \$150 million (\$86 million) a year.

Washington wants to renew the treaty to allow it to keep the Clark air base and Subic naval base, which are its largest facilities in Asia, for at least 100 years. Manila has offered a seven-year deal but negotiations broke off on May 3 after disagreements concerning compensation and the treaty's duration.

General Gacis said that under the American offer the Philippines would be classified as a major non-Nato ally, alongside Israel, Egypt and South Korea. This would entitle it to receive tanks, jet fighters and destroyers. An anonymous Philippine official said the chances of an accord being reached were 70:30.

Raul Manglapus, the Philippines foreign minister, said: "We are hopeful." (Reuters)

Pledge to continue Seoul protests

From JOANNA PITMAN
IN SEOUL

THE South Korean radical leader, Kim Jong Suk, vowed yesterday that student protesters would wage "a life-or-death struggle" until President Roh Tae Woo fell from power. "There will be no true democracy under Roh Tae Woo's regime," said the leader of Chondaebyop, a national student organisation, who is on the run after police issued a warrant for his arrest at the weekend. Parts of Seoul have seen battles for almost three weeks as demonstrators, predominantly students and workers, have taken to the streets as part of an annual protest staged in April and May.

The ritual-like riots involve protesters in gas masks hurling petrol bombs and paving stones at helmeted police who reply with barrages of tear gas. This year the demonstrations have focused on the clubbing to death by riot police of Kang Kyung Dae, aged 20, a student, on April 26. Five demonstrators have since set fire to themselves in anti-government protests, of whom four died, the latest on Saturday. A union activist fell from a hospital roof in what state news organisations called a protest suicide.

Attempts on Tuesday to hold a funeral procession for the student killed by police prompted Seoul's worst street-fighting since 1987 when demonstrators hastened the resignation of President Chun Doo Hwan. The students appear to be building up for a battle with the police on Saturday, the 11th anniversary of the Kwangju uprising when almost 200 people were killed by troops quelling protests in the southern city.

Hanoi expulsion

Hanoi — Vietnam has expelled a French documentary filmmaker, Gesbert Romain Bernard, accused of smuggling in letters from dissidents living abroad, official media said. He was also charged with using forged travel papers and making films without a permit aimed at distorting the situation in Vietnam. (Reuters)

Colombo enquiry

Colombo — The Sri Lankan foreign ministry is investigating a complaint by the ruling United National party that David Gladstone, the British High Commissioner, interfered in last week's local elections. Mr Gladstone, who had no comment on the dispute, is alleged to have complained to police about polling irregularities. (Reuters)

Tibet allegation

Peking — China's official *People's Daily* accused the Dalai Lama of tolerating a system of widespread "cruel and inhuman" rights abuses in Tibet before he fled in 1959, under the age-old social system which permitted the payment of debts with human life and widespread torture. (Reuters)

Ugandan battle

Kampala — Ugandan soldiers killed 180 rebels in a fierce battle and arrested about 3,000 people in a counter-insurgency operation in the area around the northern city of Kitgum. They rescued scores of civilians captured by guerrillas, according to Betty Bigombe, minister of state for the northern region. (Reuters)

Stir fried

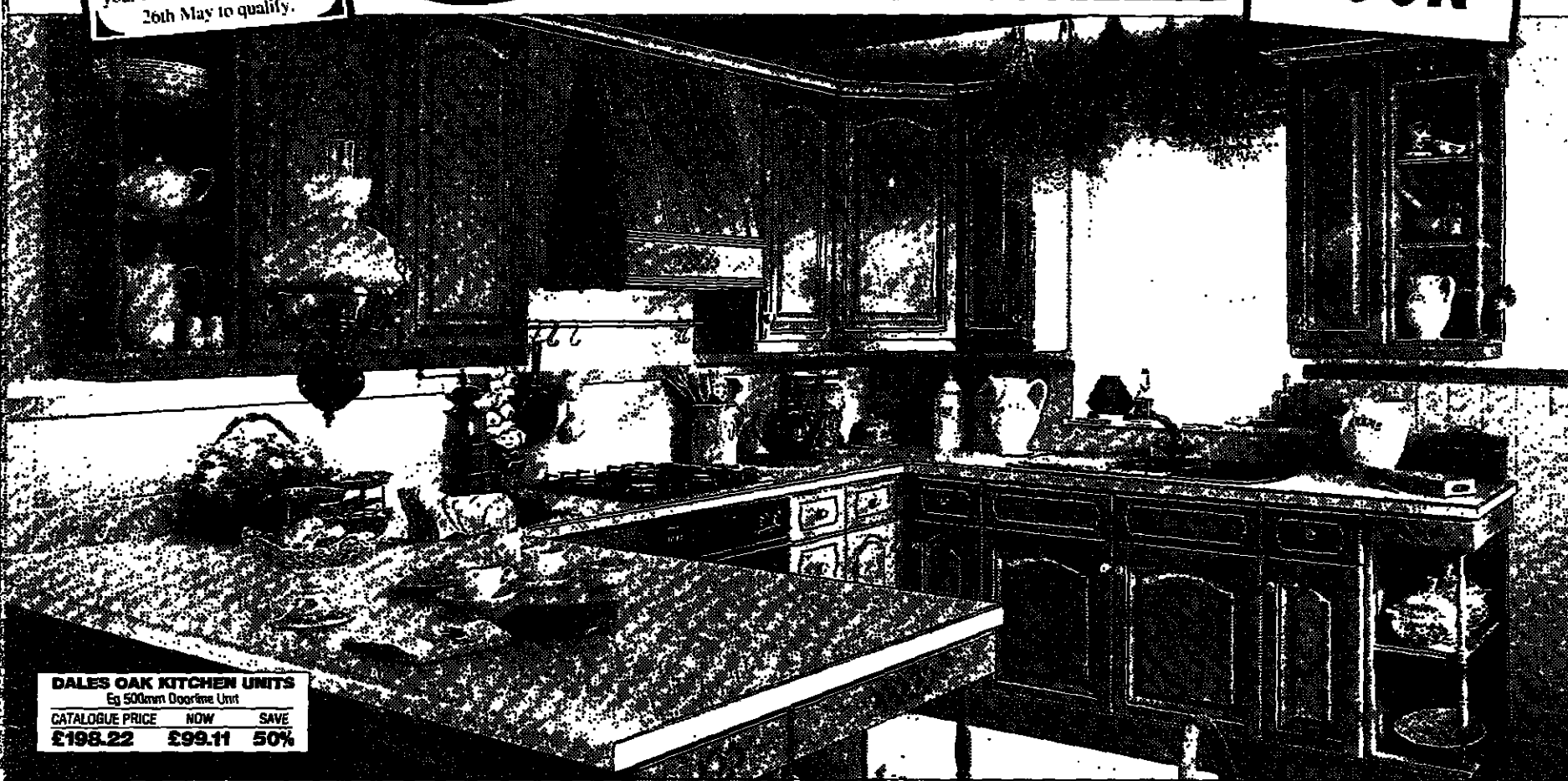
Sydney — More than 400 prisoners at the top-security Long Bay jail here were given takeaway meals from a local Kentucky Fried Chicken restaurant after they refused to eat oily spaghetti bolognese which was ruled by a prison nurse as being unfit for human consumption. (Reuters)

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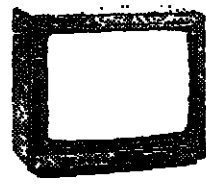
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Attacking asthma

Before the second world war seaside towns vied with each other to claim the greatest amount of ozone in their atmosphere, for there was a mistaken view that sea air contained greater than normal quantities of this mysterious gas which, it was hoped, would restore colour to convalescing cheeks and provide a fillip to a jaded sex life. It was all nonsense and *Punch* made great fun of it. Now, however, it is known that while levels of ozone do vary, they are high not in areas swept by sea breezes, but in air polluted by car fumes heated by the sun. Nor are high levels of ozone associated with a glowing complexion, but rather with breathlessness and occasionally an unhealthy blue tinge to the skin; for high concentrations can cause distress to patients with respiratory disease, and even reduce athletic performance in the healthy. This month an expert committee has advised that patients with impaired lung function should take special care with outdoor exercise when ozone levels rise, and the health department has arranged that warnings of levels will be broadcast.

Even sitting by the radio waiting for the warning can provide unexpected dangers for asthmatic patients. *Pulse* magazine reports a warning from the National Asthma Campaign that the *Radio Times*, among other magazines, sometimes includes an impregnated advertisement for an aftershave lotion, a whiff of which has been known to induce a severe attack of asthma in a susceptible patient. The campaign failed to persuade the Advertising Standards Authority to make magazines containing smelly ads carry a health warning.



Running risks: jogging in city fumes can provoke an asthma attack

Depression and Down's

To assume that all patients with Down's syndrome had the perpetually happy personality of Jo Ramsden, the 21-year-old Bridport woman who disappeared recently, and were unaffected by everyday slings and arrows, would be a mistake. In fact depression is more common in people with Down's syndrome, especially women, than in the rest of the population. *Pulse* reports that Dr Richard Collaot, a Leicester psychiatrist, in a recent lecture at Leeds university, compared psychiatric disease in patients with Down's syndrome with a control group. The handicapped patients were more likely to develop early Alzheimer's, but less likely to suffer from schizophrenia or behavioural problems. Depression, often with the classic endogenous features, is a frequent cause of deteriorating performance and can be precipitated by events which a normal adult would dismiss as trivial. When the handicapped patients were depressed the mood usually lasted for at least two years, although in a few cases the depression was severe but short-lived.



Although the risk of having a baby with Down's syndrome rises alarmingly in pregnant women over the age of 35, many more women have their babies at an earlier age, so the majority of affected children are born to younger women. Work on a screening blood test which would point to the likelihood of affected babies in younger women, so that they too could be offered amniocentesis, is developing quickly. St Bartholomew's hospital, a centre for this research work, routinely offers pregnant women under its care the triple blood tests (AFP, unconjugated oestriol, and HCG levels). These results, when taken into consideration with the patient's age, give a 60 per cent pick-up rate. The same Bart's team, led by Professor Nicholas Wald (and which then included Professor Howard Cuckle, now in Leeds, where the test is being offered commercially), published in the *British Medical Journal* last November the results of research on estimating NAF (neutrophil alkaline phosphatase) blood levels. It seemed to offer a better detection rate, 79 as opposed to 60 per cent, but the team then considered that further research was needed before it was used routinely. The majority of research had been done on patients more than 19 weeks pregnant, and ideally they should be 16-13 weeks; also, interpretation was dependent on the operator's skill.

Taking the day job

As waiting lists grow and the political storms over the NHS rage on, too little attention has been given to the advantages of day-care surgery. The Audit Commission reported last year that 300,000 patients who are at present admitted to hospital for operations ranging from hernial repair to arthroscopy could be treated equally well as outpatients. The commission has now reviewed the opinions expressed by patients who have had outpatient surgery, and this week published its findings. Eighty-four per cent of the patients were pleased. They felt that they not only recovered faster at home but made a better recovery, particularly if they were parents of young children. The 16 per cent who felt that they should have stayed longer in hospital compares not unfavourably with the 11 per cent of inpatients who made exactly the same complaint.



A sweet to keep the dentist away

There is fierce debate about a plan to encourage dentists to issue 'tooth-friendly' sweets. Sue Dibb reports

This week dentists up and down the country are being asked to hand out sweets as part of a "tooth-friendly" promotion to boost sales of sweets being sold as "kind to teeth". Manufacturers of this new confectionery concept are providing dentists participating in this week's National Smile Week with free samples to give away on open days aimed at encouraging more people to visit their dentists.

Official reports linking sugar with dental trouble and other diet-related health problems have failed to dent the UK's sweet-toothed confectionery spend, estimated to top £4 billion this year, more than any other country in Europe. Such eating undoubtedly contributes to the 36 million dental treatments carried out annually, more than half on children.

The dental health profession is divided over the value of tooth-friendly sweets, and parents may be less than enthusiastic about encouraging a sweet tooth.

The concept of confectionery that is "kind" to teeth is well-known in Switzerland and Germany, where a "molar man" tooth-friendly logo is found on a range of confectionery. The British Dental Association is working with manufacturers and retailers to introduce a logo scheme here this year.

Aubrey Sheiham, a professor of community dental health at University College, London, and the London Medical School, is pragmatic. "Given people are going to buy sweets, I think it is important they have an opportunity to choose sweets which don't damage their teeth," he says, although he is unhappy about dentists handing them out.

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The unbearable pseudery of post-modernism

Michael Wright on a novel that is a pungent feast of many courses, an erotic déjeuner sur l'herbe, and a bit of a clever dog's dinner

Copybook post-modernism is an exhausted literary genre. You can't past its self by date, it is the stale Jammy Dodger in the biscuit tin of contemporary literature. Fortunately, Milan Kundera has sufficient talent and integrity to push the element of "classic" post-modernism beyond mere sniggering exhibitionism, but his new novel still has an air of last year's model about it. For all the urbane wit and wisdom of the author's arguments about love and death and sex and art and love (again), a dust-cloud of déjà vu hangs over the whole. The book is ingeniously constructed, nevertheless, and attempting to distil such complexity into a few paragraphs is like trying to spear a butterfly on the end of a knitting needle.

As in Kundera's best known work, *The Unbearable Lightness of Being*, the novel is divided into seven (sub-divided) sections. From the start, Kundera emphasises the self-conscious artifice of the text. Part One finds the novelist snoozing in bed, woefully listening to news bulletins and advertisements which will later resurface as events casually woven into the narrative. Similarly, a visit to his health club provides him with the inspiration for the "heroine" of the novel, a body-shy mathematician called Agnes.

While Parts Three and Five focus upon Agnes's (sexist) doubts as the emotional web that traps her family in a tricky bundle of conflicting desires, needs and suspicions, Parts Two and Four focus on the 19th century love affair and quest for immortality of the poet Clementine and young Bettina Brentano (with walk-on parts for Beethoven, Napoleon and Hemingway). These scenes establish the "trans-historical"

dimension that is *de rigueur* in Formula 1 post-modernism, and which is echoed by the frequent gear shift between past and present tenses in Kundera's rambling third person narrative.

Part Six is, in his words, "a novel within a novel as well as the saddest erotic story I have ever written", while Part Seven finds us back in the author's health club, where he is celebrating the completion of the book with one of his characters, a batty tyroshasher called Professor Avenarius. *Et voilà*.

Unfortunately, this kind of bare bones summary is about as revealing as an empty coat-hanger is

IMMORTALITY
By Milan Kundera
Translated by Peter Kussi
Faber, £14.99

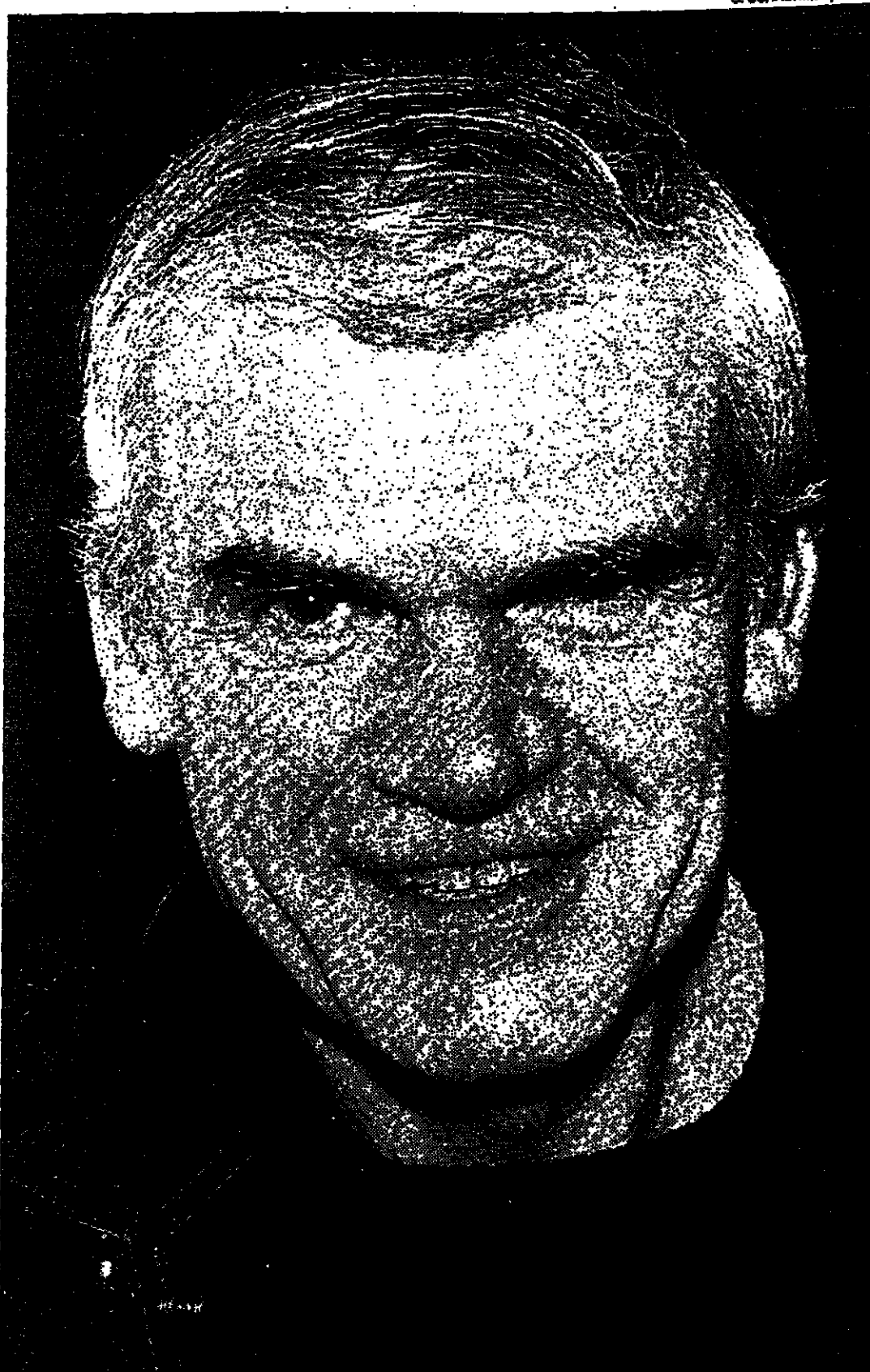
evocative of the sparkling cocktail dress that usually occupies it. The text's buoyancy comes, not from the action, but from the sheer joy of Kundera's musings about life. Events interrupt his arguments no more significantly than do sips of water disturb the flow of a preacher's sermon. Dramatic tension is replaced by thematic suspense; the reader trundles forward in the anticipation of a resolution to the knotted subjects and counter-subjects that make up this grand, distorted figure. Yet isolating one central theme is about as easy as selecting a man-of-the-match in a tug-of-war. The various dishes in Kundera's "feast of many courses" are all equally substantial, equally spiced, and equally satiating.

As it happens, this problem of distinguishing between the important and the unimportant is

central to the novel; the boundary between the two is revealed to have become unrecognisable to a world caught up in the hurly-burly of a shallow existence. Indulging in some ersatz deconstruction, Kundera highlights the instability of all boundaries, between fiction and reality, tragedy and frivolity, Mahler and rock music, art and advertising, and so on. The human race emerges as a bunch of pseudos, all surface and no substance, each essentially indistinguishable from the next. Jung's idea of the collective unconscious is extended to include a shared repository of gestures, expressions and sexual fantasies, all of which limit man's capacity for true individuality.

There is a certain part of all of us that lives outside of time. This is the crux of Kundera's treatment of immortality (as in Napoleon or Beethoven, rather than Zeus or Superman); elements of 19th century Bettina are reduplicated in 20th century Agnes just as, in a sense, elements of Goethe and Hemingway are reduplicated in Kundera. And the book is an ironic icon to Kundera's own immortality; its very existence puts a part of him "outside" time. Very post-modern.

In style, the novel suggests a fry-up of the elegant eclecticism of Sir Thomas Browne and the wacky parable-spinning of Kurt Vonnegut. The result is more digestible than it may sound, and Kundera's close-to-the-bone analysis of the sentimental foibles of the human race should stimulate anyone from the swoony Martian exchange student to the patient reader not utterly sick of post-modernist piddle-pranking. But be warned; this is a glittering fish to be played long on the line, not a filleted herring to be bandied gratis on a plate.



Milan Kundera, the saddest, funniest, most lovable of authors, with some erotic deconstruction

Something nasty in the dog house

Horror

OUTSIDE THE DOG MUSEUM
By Jonathan Carroll
Macdonald, £12.95

world-famous architect who is persuaded by the benevolent sultan of a middle-eastern state to build a monument to all the pooches who have saved his life over the years. Radcliffe also happens to be a first-class heel, who plays his two girlfriends off against each other, in between musing on his genius, and reminiscing about when he had a

breakdown and bought 250 pencil-sharpeners. The narrative moves from earthquake-torn Los Angeles to the civil-war-torn Middle East sultanate to somewhere in the Austrian Alps, where Radcliffe finally comes face to face with the reality of what he is building. It's a gets excessively comic in places, but Carroll is such an inventive and endlessly fascinating writer, with more ambition in his little fingernail than most novelists have in their entire bodies, toenails and all, that it would be philistine to pick nits.

■ *One Rainy Night*, by Richard Laymon (Headline, £14.99). Laymon's books are the horror equivalent of junk food; they may be disposable, disreputable, stink 'n' slash trash, but the author

certainly knows how to sock it to the reader, even if he does belong to that tiresome band of writers (Ed McBain is another one) who insist on describing the breasts of every single female character in slobbering detail. The gimmick here is a mysterious black rain, due not to radioactive fall-out but to a voodoo curse or some such bunkum, which falls on a small American town and turns everyone it touches into homicidal maniacs who shout, "Let's get the dry ones!" Enormous great body count of dries and wets and drips, only exceeded by the number of erect nipples.

■ *The Witching Hour*, by Anne Rice (Chato & Windus, £14.99). Someone really should have taken a scalpel to Rice's latest, which

weighs in at 965 pages, and is far too big to fit into the average handbag. The lady can spin a yarn with the best of them, but this one takes a yawn-making 253 pages just to set the scene: beautiful female brain surgeon rescues a man from drowning and falls in love with him. The brain surgeon, though she doesn't yet know it, is descended from a long line of witches, and is due to inherit the family's demonic familiar. Once the book gets down to some historical flashbacks, then it really starts cooking, though it's more of a leisurely braise than a sizzling fry-up. Some nice spooky bits, though, as well as some of the author's own familiar trademark, eroticism, and evocative descriptions of her home town, New Orleans.

■ *Summer of Night*, by Dan Simmons (Headline, £14.95). This is a vast improvement on Simmons's last, *Carver Comfort*, though it too ends up relying overmuch on Rambo-style action and gunfire to resolve the situation; the heroes may only be 11 years old, but what the hell — shooting your way out of trouble is the American way. We are in Stephen King territory; smalltown USA, with its rites of passage lovingly detailed, and its boys clubbing together against an amorphous, all-purpose evil festering in the old school building. Walking corpses, burrowing lampreys, malevolent combine harvesters; it all tootles along quite painlessly (except for the unfortunate boy who gets mangled), but the author lacks the King magic touch, and gives the reader too much opportunity to reflect on how schematic and uninspired the whole thing is.

Seriously funny business of dying

JIM'S tummy had been playing him up for weeks when he finally went to his GP. There'd been the nausea, too, and a general feeling of ill-being. None of which prepared him for the results of his tests. Suddenly it was go straight home, an ambulance there before he'd finished packing, and into hospital — where he now occupies a tiny room in a ward for the incurably ill.

Tiny and getting tinier, for it's a feature of his condition — or is it the treatment? — that Jim's perceptions aren't as reliable as they were. Not all the distortions are architect-

tural. In fact most of them are carnal in Go Gentle. Old conquests return to haunt him, the prospect of new ones conjure up elaborate, fantastical seductions, even his wife's visits give rise to a mental soap opera of jealousy and intrigue, starring Miriam and an innocent colleague.

Imminent death has jerked Jim's libido into embarrassingly active life. Stirred even by the sight of Doris the tea lady's ample rump as she steers her precious cargo through his now seriously diminished doorway, Jim's imagination moves into over-

drive when it contemplates his nurse Miranda. Her bottom reminds him of a halved apple. "Ouch! It's all too much, so Jim dreams up a boyfriend for her of last-dimishing dullness. Norman, who believes sex means just talking about it. Jim makes the mistake of telling Miranda about "Norman". She gets huffy, then announces that the consultant is coming tomorrow with some good news. "He's probably realised he's mixed up my x-rays and I'm actually dying of something much less serious," Jim suggests.

Not so. Mr Cook wants Jim's co-operation with a little problem he has. Another patient needs an operation urgently, the hospital is short of beds, so would Jim be a decent fellow and help himself to a chemical cocktail, say Thursday tea-time, to ease congestion? No one is pretending that dying is easy, but surely it would be more pleasant if the uncertainty of its timing was eliminated? Jim is not crazy about the idea. It's time to do a bunk. Which he does — at least in his dreams — for a final fling of prurient indulgence. Miranda succumbs cheerfully — or coarsely — Jim gets to watch Miriam and her friend's love making end in disaster —

John Nicholson

GO GENTLE



By David Peak
Fourth Estate, £13.99
KING'S PARADE
By Simon Sebag Montefiore
Hamish Hamilton, £14.99
A MODEL WORLD
By Michael Chabon
Hodder & Stoughton, £13.99
THE SAFETY OF OBJECTS
By A. M. Homes
Viking, £13.99

naturally! — and a nymphomaniac offers herself to him without hesitation — well, why not? In just three novels David Peak has become one of our most accomplished young writers. His books are difficult but not impenetrable, his subjects (alcoholism, madness, and thoroughly vile in Thatcherite Britain. So there may be, but this is not it. Set in a Cambridge devoid of style or humour, with occasional sorties to post-Big-Bang London, and peopled by a cast of cardboard cut-outs, King's Parade fails utterly to engage our interest in a rambling saga of

undergraduate folly and corporate skulduggery.

Much more interesting are two sets of short stories by a couple of America's most promising younger writers. Michael Chabon's first novel, *The Mysteries of Pittsburgh*, won a rapturous reception, which is easy to understand. Marred only by the occasional sophistry — if you still see how you could once have loved a person, you are still in love with them — *A Model World* is startlingly perceptive and convincing over a range of milieus. Laguna Beach architects, cheating academics, expatriate disc jockeys, supernumerary baseball stars, all struggle to make sense of a world in which patently senseless things occur with unsettling regularity. The five stories charting the development of Nathan Shapiro, a young Jewish boy from Henrietta County, through his parents' divorce and remarriages, are as acute a description of adolescence as anything you'll find in recent American fiction — until you turn to A. M. Homes.

Miss Homes is a very disturbing writer indeed. In *The Safety of Objects*, her teenagers hide in the sizzling cupboard writing memos to themselves, or lie by the swimming-pool, regretting their obesity while engaging in frantic sexual fantasies. A little boy, kidnapped then returned to his parents, feels rejected — why, doesn't the kidnapper want to keep him? For once a blurb writer puts us on the right track: Miss Homes's world is reminiscent of those created by the filmmaker David Lynch. Both confine themselves to mundane settings and apparently harmless objects, leaving it to the weirdness of humans to create discomfort, anxiety — and occasionally terror.

243 people have paid up to £7500 for a census of England which is 900 years out of date. Have they lost their senses?

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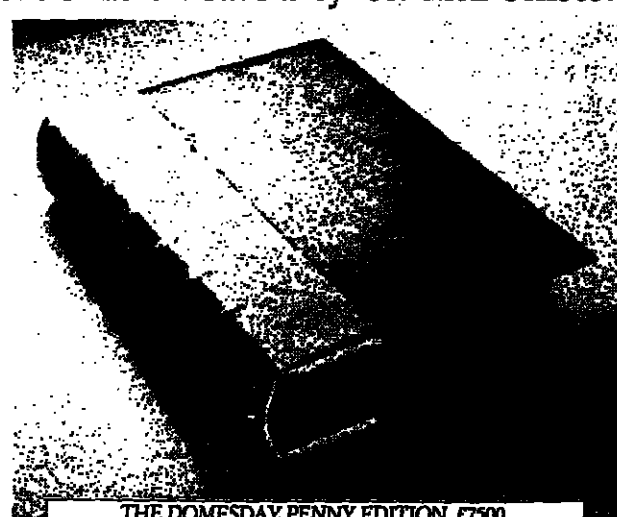
When's ever more fascinating is how relevant it remains. Indeed it was last consulted for legal precedents as recently as 1982. Of the 13,418 places mentioned in Domesday but a handful can be traced today. So it is possible to get a unique picture of your own village, town and country all those many years ago. But if Domesday itself is unique this new edition is no less so.

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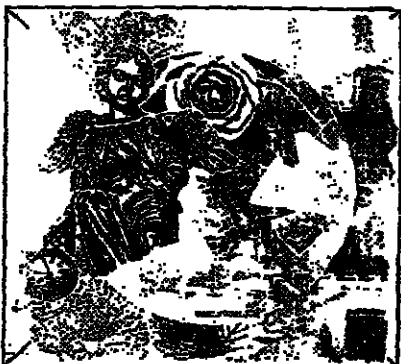
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Well-groomed, redheaded and tough: Philip Jacobson profiles the new prime minister of a land where politics was a male preserve

To understand the authentic Edith Cresson — the essential spirit that she will carry into the French prime minister's most agreeable residence, the Hôtel Matignon — you could do no better than listen to one of her favourite observations about her life in French politics. "Nothing frightens me, because I adore challenges," she declares, combative and confident in the same breath: we are talking, after all, about a highly educated, self-assured woman who started out as a humble campaign worker for the Socialist upstart François Mitterrand, some 25 years ago.

There are those who will tell you that Mme Cresson's relations with the president extend beyond the merely political, though the muzzled French press never refers to this. For the record, Mme Cresson has been married to an executive in industry for more than 30 years, and has two daughters.

There is certainly no reason to doubt the toughness of her mind, nor her dedication to success in

the profound *phalloscracy* of French political life, on the left as well as the right. How many times must she have heard that she is too pretty to be a government minister? How often has she sat through smirking speeches from men less able, sometimes fellow Socialists, praising her fine red-headed looks, her femininity, even her sex appeal, but skirting over her proven ability to make things happen? "You need nerves of steel, and luckily I've got them," she observed with feeling a few years after she first made her mark in the hasty-burly of French electioneering. Having demonstrated that she has exactly what it takes in terms of stamina, acumen and sheer determination, she was outraged to discover — though she must surely have feared the worst — that "life here is hellish for a woman in politics, unless she is elderly and ugly".

Today, a young-looking 57-year-old who is rarely less than perfectly groomed (she once greeted the editor of *The Times* in

Sex appeal no handicap for this fearless fighter

haute couture and diamond earrings, a few hours after emerging from a very late night parliamentary debate, she plunges back into the cockpit of party strife from a rewarding job in private industry, her vigour and combativeness evidently undiminished. A born fighter, *Mitterrandiste* to the core for a quarter of a century, Mme Cresson now finds herself, at last, in a position to do something about what she once described as a class struggle in which women are "the poor bloody infantry of the oppressed".

As Mme Cresson readily concedes, she comes from a distinctly well-to-do Parisian background: daughter of a senior civil servant, she was educated by an imported

governess, from whom she learned her virtually flawless English, and at a private girls' school. She is a graduate of one of the *grandes écoles* from which the children of the upper-middle-class emerge with degrees that guarantee them decent jobs for life (hers is in demography).

For all that, as even foes concede, Mme Cresson is no *socialiste de salon*, flitting away her time in the capital's left-wing intellectual circles where politics has next to nothing to do with real people. Some years after she enlisted in the Mitterrand camp, she was shoved forward to contest an apparently hopeless parliamentary seat at Châtelleraux, a conservative bastion in the west of

France, where they were reckoned to eat opinionated young women from Paris alive.

The campaign gave the first indication that Mme Cresson was out of the ordinary: she was sensational on television, warm and fiery as the occasion demanded. She lost twice, and by the time the elections of Châtelleraux finally had the good sense to send her to the National Assembly in 1981 — and subsequently made her mayor — she was already established on the French political scene.

In no time, she was in the cabinet, coming to occupy the traditional hot seat of minister of agriculture when French farmers were in bloody mood over the

Common Market. "What can she possibly know about looking up the backside of pregnant cows?" demanded one malcontent.

But she battled on, full of heart if not quite temperamentally suited to winning long, hard battles with the paper-shuffling bureaucrats. She might have been a natural choice for minister of European affairs in Michel Rocard's government after the 1988 election but for her freely expressed conviction that M Rocard lacked the guts to initiate the reforms France needed to compete successfully in what she has called "the economic world war".

Now Mme Cresson is very much back on the scene, a prime candidate, if all goes reasonably well, to lead the Socialists into the parliamentary elections of March 1993. She has some tough times ahead as the French economy slides towards recession, and life at the head of a minority government will scarcely be restful on the other hand, how could she ever turn down this sort of challenge?



Edith Cresson: "You need nerves of steel, and luckily I have them"

Wronged and wronged again

Roger Graef on the victims' lesson for draftsmen of the citizens' charter

Rachel was the victim of a sexual attack. The police did not tell her about Victim Support, nor give her the eaflet describing her rights. When he trial approached, she received a curt letter from court threatening imprisonment if she did not appear as a witness.

At the Crown Court she found he trial had been postponed and moved to another venue. She attended twice more, only to find he case postponed and moved again. She learnt that her assailant had been released on bail only when she met him in the court waiting room. During the trial, the defence said the two were acquainted, which was untrue. The prosecution said nothing. This report appeared, with her name, in the local press. Only rape victims have a right to anonymity.

According to the victims' charter, none of this should have happened. Brought in 18 months ago, the charter offers useful lessons for those drafting the citizens' charter for users of other public services.

Lord knows the victims' charter was needed. The criminal justice system treats the public so badly it turns them all into victims. Witnesses, families of accused, victims are all barely acknowledged by the bureaucratic, insensitive, and inconvenient procedures.

The aims of the charter are modest. It recognises that victims are sidelined when the system numbers into motion. The charter calls for them to be shown their rights by the police during their first visit. They should be informed of arrests, cautions or prosecutions, and of the outcome of any trial. Victims of serious offences should be told when the accused are to be bailed.

Although it contains a statement of victims' rights, the charter is only a list of aims, based on ideas of good practice from previous Home Office circulars. It has no legal status, offers no statutory compensation or complaints procedure and also lacks any provision for monitoring performance. But a random survey conducted by the largely

volunteer organisation Victim Support found that because no obligations have been imposed on the police, the Crown Prosecution Service (CPS) or the courts, precious little has changed. The research is full of horror-stories like Rachel's.

More than a year after the charter was announced, some plans for implementation are now being made behind closed doors. And in some force areas victims do get prompt service. But many police officers still do not know about the charter or the leaflet of rights they are meant to provide. Many courts have done nothing to soften their fearsome early-warning letters, to inform victims of changes in trial dates, or to provide separate waiting areas for victims of serious crime.

The charter's most serious omission is financial. Although police, prisons and courts cost a fortune, the government relies on the generosity of volunteers to help victims return to normal life.

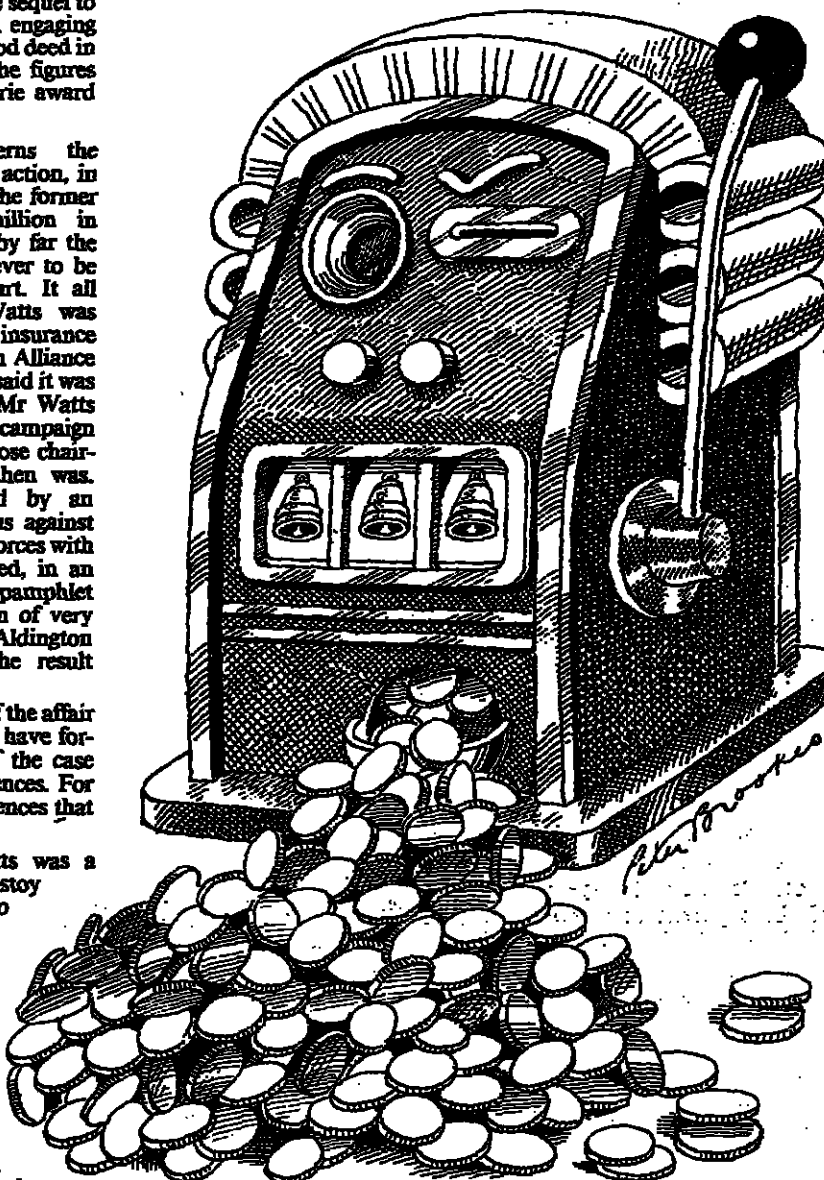
Compensation is still at the discretion of the bench or — in serious cases — the Criminal Injuries Compensation Board. Refusals are unexplained. There is no right of appeal. The duty to tell victims about decisions to prosecute and the outcome of trials has fallen between the police and the CPS. Each says it lacks the necessary resources and information from the courts.

The lessons for the proposed citizens' charter are clear. Services, whether public or private, do not respond to exhortations alone. Sufficient resources and enforceable rights are inescapable conditions for change. The ethos of public service has been bashed for a decade. The citizens' charter must restore self-respect to those — users and employees of beleaguered public institutions alike — who currently see themselves as victims. Improvements to service, morale and management are long overdue. A charter to achieve them needs as much political will as it took to run them down.

Roger Graef is preparing a book and television series about criminal justice.

When the winner loses all

The Currie and Aldington libel actions show that going to law is little short of a gamble, writes Bernard Levin



Enter, bearing good tidings, the Sun Alliance company. It has given Lord Aldington an interest-free loan of half a million, and repayment will be required only if he can get his costs from Count Tolstoy, which he manifestly cannot. (There is a macabre irony in this handsome gesture: the Sun Alliance has recently announced a trading loss of not much less than £200 million, and might itself be thinking that an interest-free loan

of that amount would come in rather handy.)

Because Lord Aldington was chairman of the company when Mr Watts kicked the first pebble of what became a monstrous avalanche, the Sun Alliance must have felt it could not leave him with his terrible Pyrrhic victory. Whence the loan/gift, and a round of applause — the first in history, perhaps — for an insurance company. But you see what is coming

I have never been chairman of any public company, let alone the Sun Alliance. Few of my readers have. So what happens to us if we are awarded damages — not necessarily in a libel action — against someone or some organisation who cannot pay? We have no such sugar-daddy available to wipe away our tears with an outsize cheque, and although the lawyers (all right — even those lawyers are worthy of their hire) would wait a reasonable time for their pay they would not wait for ever, and quite rightly.

Something is amiss here. When Ken Dodd stood trial in 1989 charged with tax evasion (he was acquitted on all charges), he was represented by Mr George Carman QC, a sympathetic newspaper profile of this very successful lawyer suggested that his fees for such a case could run into a good many thousands. Mr Dodd presumably thought Mr Carman's services were good value for money, and I dare say Mr Carman thought so too. But might someone involved in a court case, civil or criminal, suffer penalties because he could afford only a tyro to speak for him?

It is not enough to say that only the rich can hope to get justice; Lord Aldington is hardly a pauper, yet he faced financial disaster after winning his case. Nor is it reasonable to demand that a defendant should be ready with an enormous sum of money before he can hope to fight his corner. I have always been suspicious of bail requirements, and it would be shocking if something as haphazard as bail entered into civil cases. I know that a court can demand "security for costs" from a plaintiff, if it is thought that he or his case is fishy and that he is unlikely to be able to pay up if he loses; that is not unreasonable, but there is still injustice in a litigant finding himself turned away from the court for being poor. Yet without that safeguard where would many a successful defendant be? Up the creek, of course, which is where Lord Aldington, a successful plaintiff, found himself.

There is legal aid, though only the poorest can get it (and it does not cover libel actions, whether for the plaintiff or defendant). More-

over, the public purse is not bottomless; would we want the legal aid scheme to end up like the bloated, insatiable example of *bulimia nervosa* called the NHS?

Amid the unprecedented uproar from the legal profession that greeted the green papers on law reform, some of the more exceptionally impudent voices could be heard declaring that in addition to the epidemics of mad cow disease, the devastating earthquakes, and the releasing of packs of rabid wolves that the proposals would inevitably bring about, going to law would be more expensive. (It was at that point, as I recall, that I founded, to tumultuous popular acclaim, the Campaign for Decriminalising Lynching.) But even cutting lawyers' fees is not the solution, nor should it be; it would be quite wrong to deny the mechanism of the market to one profession.

There is, of course, a certain way to avoid ending up like Lord Aldington; it is not to go to law. If I were libelled (I have frequently been), and were given the choice of suing or having all my toenails pulled out with red-hot pincers while listening to *Pelléas et Mélisande*, I think it would be a close-run thing. True, the things Count Tolstoy said about Lord Aldington were very serious indeed; even so, I would have hesitated, not least because I would realise that the usual fools would mutter "No smoke without fire". (Though as against that, you would be surprised to discover how quickly even the most lurid lawsuits are forgotten.)

When all that is said, however, Lord Aldington, having won a monster victory and been awarded monster damages, might (I have no knowledge of his bank accounts and investments) have faced penalty until the Sun Alliance company made its righteous offer. Of course, he might have contrived to investigate the financial standing of Mr Watts and Count Tolstoy — these days such knowledge is easy to come by — and then judged whether he was likely to be out of pocket if he won. But why should he have to do any such thing?

I don't know, and I don't suppose he does either. While we both ponder the answer, we can dwell on the fact that although lotteries are prohibited in Britain, they are won and lost hundreds of times a day in the law courts.

...and moreover

CRAIG BROWN

Earlier this week, the Conservative backbencher Michael Fallon attacked the *Neighbours* television drama series. He claimed that it was junk and dulled the senses of children who would be better off doing their homework. In a rare display of solidarity, Labour's education spokesman, Jack Straw agreed. He dismissed the series as "trusty trash".

I was brought up on *Neighbours* predecessor, *Crossroads*. That, too, was often attacked by politicians. Only Harold Wilson's wife, Mary, had the courage to break ranks, writing an enthusiastic foreword to *My Life at Crossroads*, a 1975 memoir by the show's star, Miss Noelle Gordon. Headed "10 Downing Street, Whitehall", her foreword notes that "many women see Noelle Gordon in the character of Meg Mortimer as the type of woman they themselves would like to be — understanding, sensible, able to cope with any situation".

Oddly enough, if I compare what I remember about *Crossroads* to what I remember about geography homework, *Crossroads* emerges the clear winner. I have a recurring nightmare in which I am faced with a geography exam full of questions such as "Explain, with use of diagrams, the workings of a blast furnace" or "Describe day-to-day life on a coffee plantation in Kenya". I stare at the exam paper in blank horror. If, on the other hand, I were to be faced with an exam paper headed "Crossroads 1969-77" ("Compare and contrast the characters

of Amy Turtle and Bernard Booth giving dates where applicable"), I am confident that I would still, 14 years on, gain at very least a beta plus.

At this point, I should state my educational advantages. During the period in question, I lived in Hampshire, on the borders of Southern and Thames Television. By a much-envied freak of the airwaves, we were able to watch the same episode of *Crossroads* twice every evening, first on Southern at 5pm and then, by a twiddle of the knob, on Thames at 5.25. Our house was rightly known at the time as the Peterhouse of *Crossroads* studies.

No doubt such revelations will cause grief to Mr Fallon. But is knowing all about a fictitious Midlands motel (or, in the case of *Neighbours*, a fictitious housing estate in the suburbs of Melbourne) any less use than knowing all about blast furnaces and Kenyan coffee plantations? If only Mr Fallon had spent more hours with the former and less with the latter, he might have gained insights into the political life that would prepare him well for the years ahead.

During the year or so I spent writing the parliamentary sketch for *The Times*, I was struck by how MPs and political journalists alike were infinitely less interested in what Mr Tony Benn calls "the issues" than in the classic soap-opera question, "What happens next?" Every day would see some new twist of the plot — Will he resign? Has he been silenced? Who will take her place? — and everyone would

wait, spellbound, for the next episode. But the scripts were junk and the acting pretty trashy was, by and large, irrelevant what mattered was the never-ending story.

The character of Mrs Mortimer, the coping, well-turned-out proprietor of *Crossroads*, was, I think, a precursor of the character of Mrs Thatcher. The parallel between the two ranges on the uneasy apart from obvious physical and sartorial similarities, both had difficult children, a boy and a girl, both had millionaire businessman husbands, both spent their time fighting takeover bids, both related a challenge, both had to deal with tantrums from male colleagues ("What's up with 'im, then?" Meg's son Sandy would always be saying as yet another senior member of staff stormed out of her sitting room, rudely slamming the door) and, alas, both were to find themselves unexpectedly written out of the plot when the ratings began to plummet.

Incidentally, it might interest Mr Fallon to know that following the dismissal of Mrs Mortimer, *Crossroads* never recovered. Within a couple of years, it was dropped completely. Those of us who forsook our homework for the University of Unreal Life have learnt to deal with such ups and downs. But poor, swotting Mr Fallon (majority: 2,661) has been sheltered for so long from the cut and thrust of soap opera that I fear that for him, as for so many other Conservative MPs, The End may well come as a shock.

Honeymoon time but no election

Whatever the outcome of the Monmouth by-election, John Major has already ruled out a June general election. Despite the intense speculation that he will decide only after today's votes are counted, the prime minister has told key party workers that a summer poll is not on the cards.

Saatchi & Saatchi, which has been on red alert since it won the Tory general election advertising contract in April, has been told by Smith Square that it can switch off. One of the key figures in its election preparations, Morry Maclean, group account manager, had been asked to cancel his two-week honeymoon after his wedding this Saturday, but has now been told to go ahead.

A senior Saatchi manager says: "Maclean intended to cancel the honeymoon until after the campaign. This election is a chance in a lifetime. He will be one of the key figures, ensuring that everything the company promised the client is delivered without delay. He will be the linchpin of the campaign. It could not function without him."

The company was badly hit by the loss of Michael Dobbs, author of *House of Cards* and formerly a Tory Central Office chief of staff, who resigned from Saatchi this month to pursue a career as a political commentator. The absence of another experienced hand during the campaign might have embarrassed the agency.

Should the Tories win tonight and change their plans again, Maclean has a contingency plan. While not revealing where he is going on honeymoon, he says he could get back within 24 hours. "As my new wife works for Saatchi too, I'm sure she would understand if I left her reading a book by the hotel pool."



● When Japan's first consul-general for Scotland, Seiichiro Otsuka, took up office in March, much was made of his liking for malt whisky and his ambition to play the bagpipes. But Otsuka's willingness to immerse himself in Scottish culture has had little impact on his masters in Tokyo. The new Japanese diplomatic handbook lists the consulate's address as Edinburgh, England.

Smile please

The first official portrait of John Major is to be painted by an artist who once upset Mrs Thatcher by leaving her necklace and pearls out of a commissioned picture. John Anthony has already started what he calls "initial tone and perspective work" on the portrait, using an official photograph sent from Downing Street to his Bourne-mouth studio. The painting has been commissioned by an anonymous patron, described as a millionaire benefactor of the Conservative party. When completed, it will be presented to the prime minister and will hang in Downing Street.

"I hope to have one or two brief sittings some time in June," says Anthony, who has painted life-size portraits of most of the royal family, Pope John Paul II and Koo Stark.

Anthony's portrait of Major looks certain to be completed before another by Diccon Swan,

who has been commissioned to produce a £10,000 portrait for the Carlton Club. The National Portrait Gallery would also like to commission a portrait, but has not yet approached Downing Street.

Anthony claims to have found hidden depths in his subject's face. "If you put your hand over the mouth of *The Laughing Cavalier*, you can see he is actually frowning. Put your hand over the lower half of a photograph of a smiling John Major and the same thing happens."

Scrambling at last

As the surviving members of the Few gather at London's Guildhall today to launch a £3 million drive for a Battle of Britain monument, the chairman of the appeal has complained of the apathy that has allowed half a century to pass without a permanent memorial being built. "Nobody in high places could be bothered to do anything," says Wing Commander Geoffrey Page.

who was shot down in his Hurricane and survived appalling burns. "It is quite amazing." Page hopes that the apathy will be overcome by the start tomorrow of *A Perfect Hero*, a television series about a pilot shot down and badly burned, for which he was technical adviser. Work is due to begin soon on the monument on a cliff-top site between Dover and Folkestone — above which many of the incoming Luftwaffe squadrons were first engaged — donated by the local council.

The memorial will be in the shape of a wing. Says Page, "but it is neither that of a Spitfire nor a Hurricane. We don't want any arguments between veterans of the two."

● Nobody at the Northern Ireland Office was more tight-lipped about the future of Peter Brooke's initiative yesterday than the information officer, Mark McCaffrey. His father, Sir Tom McCaffrey, was Ted Heath's press secretary and was at his boss's shoulder in 1972 when, to Unionist fury, Heath prorogued the Northern Ireland parliament and imposed direct rule. Hardly a subject to yawn about over a cup of tea with Messrs Paisley and Molyneux.

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Unhoused

A comedy of errors indeed. "Shakespeare's former home on the market," says last week's *Solihull Property Times*. The "delightful Brook-furlong Farm — which is a late-15th-century black-and-white Warwickshire farmhouse" was "let to William Shakespeare at a rent of 7s 6d per annum from 1649," claims the paper. In later years, the property "came into possession of the Beecman family, which included Sir Thomas Beecman, the famous musical conductor. It remained in the family until the death of Sir Joseph Beecman in 1916."

But Shakespeare died in 1616 and Sir Thomas Beecman lived from 1879 until 1961. The estate agents seem to have been more creative than Shakespeare.

هكذا من الأصل



WHEN ALL ELSE FAILS

Peter Brooke's initiative on the future of Northern Ireland is clearly in trouble. Wishes for its success cannot conceal pessimism over the outcome. These periodic initiatives are tests of will on the part of the participants and therein may lie the key to their failure. As events in this case are proving, at least one of the parties — the Ulster Unionists — does not have much interest in forcing the talks to success. The will of another, the Dublin government, is equally in doubt. Even if the shift in arrangements discussed with John Major yesterday overcomes the immediate hurdle, the near certainty must be that some fatal obstacle will crop up long before serious progress is made.

The sticking point for the Unionists, the apparently trivial matter of location and chairmanship, is not wholly unreasonable. Mr Brooke, the Northern Ireland secretary, offered all sides talks without preconditions. But the existence of the two clauses in the Irish constitution claiming jurisdiction over Northern Ireland, recently interpreted by the Irish Supreme Court as a binding "imperative", is a standing precondition.

The Unionists had agreed in principle to talks with the Irish government while those clauses remain — a substantial concession — but they demanded in return either that the Irish government express an intent to have the constitution amended, or that none of the talks should take place in the Irish capital (nor in Belfast). This echoes the old Unionist taboo about visiting Dublin in any circumstances, but was bound to be seen from London as a quibble over a symbolic detail, a mere device for sabotaging the Brooke initiative before it starts.

The Irish government feels that acceptance of the Unionist demand to avoid Dublin would destroy its status of equality with the British government in the matter. The other will be tested, therefore, is Charles Haughey's. What price would he pay in order to take part in talks with the Unionists? The answer so far appears to be none, and although he has agreed to allow the constitutional question to be raised, he could hardly say less.

The Unionists' appeal to John Major yesterday appeared as a last-minute exercise

to shift the blame for any failure now onto the British, a buck he promptly passed back across the Irish Sea. Mr Brooke's "honest broker" approach — that the British government has no solution to Irish problems but will facilitate any that is agreeable to the Irish — was an asset in the earlier stages of his plan. But it became a liability when the Unionists dug in their heels. He is left with no pressure point, no threat to Unionist interests if they do not comply. He is seeking to influence a conflict with no leverage.

Mr Brooke needs a fall-back British policy for the province, one that impels the parties into talking to each other as the lesser evil. A full reactivation of the old Anglo-Irish agreement is not sufficient of a threat to the Unionists. Scheduled, imposed devolution, with or without power-sharing, as a preparation for an end to direct British rule, would drive all sides to a realisation that they cannot go on for ever squabbling beneath the skirt of British direct rule.

The Brooke initiative has become an experiment to test the favourite English theory that the only barrier to reconciliation in Ireland is the absence of channels of communication. If only the embattled parties could talk to each other, all would come right. As long as this is believed, the Irish can blame the British for their mess, the blame renewed each time Britain fails to achieve the elusive reconciliation.

The interests of the Catholic and Protestant communities in Northern Ireland are still far apart, the will to agree still lacking and the status quo not so appalling as to make them prefer a leap in the dark. The only interest for which the status quo really is appalling is Britain's. Britain picks up the opprobrium, the stained world image, the dead soldiers and a gigantic bill. As a result, British ministers feel obliged to go through the motions in a hopeless quest to extricate themselves from the Irish labyrinth.

There is a sense that Britain too is losing the will to see matters change in Northern Ireland. If such a will existed, Mr Brooke would begin to exert true leverage. He would threaten to dismantle his colonial apparatus, set a date for a return to local government from Stormont, and bluntly tell all sides that only the Irish can sort out the mess.

LANGUAGE MOST FOUL

Censorship in a permissive society is counter-productive. So much so that the merest hint that a television programme might have been censored (but actually was not) is enough to guarantee it star-billing, as in the recent Channel Four series *Banned*. Prohibiting sexually explicit or gratuitously violent material is difficult because the censor must rule on matters of opinion. Marmaduke Hussey of the BBC and Lord Rees-Mogg of the Broadcasting Standards Council are both guardians of good taste but even they do not always agree.

Obscene and blasphemous language is a matter of fact, and viewers do not like it. Surveys regularly show that bad language is considered more objectionable by viewers than sex and violence. Mary Whitehouse's National Viewers' and Listeners' Association yesterday published another. This shows that the incidence of swearing on a selection of television programmes shown after 9pm has increased over the past two years from the equivalent of 861 annually to some 2,000. While such statistical exactitude is suspicious, anecdotal evidence suggests that bad language is increasing on television, and not just on late-night viewing.

Foul-mouthed characters are often held up for admiration, while certain comedy shows (*Spitting Image* is one) make a virtue of peppering their scripts with obscenities. The voice of relativism is often heard in defence of the status quo. Theatre-goers, after all, seem not to trouble themselves over much about a few four-letter words. Nobody calls for the Lord Chamberlain to be reinstated as a censor. Why should broadcasting be different? How can television avoid mirroring society? Words can never hurt you. Children hear them anyway. Why not just switch off the wretched thing?

MEANINGLESS MONMOUTH

Today's by-election in Monmouth is unimportant. A new member of Parliament will be returned to Westminster. That is all. The voters of Monmouth will have experienced a deluge of campaigning. The evidence of by-elections past is that they will react in a way wholly unrepresentative of the national electorate in a general election. Nobody should deduce any wider conclusion, except that wider conclusions should not be deduced from by-elections.

If the Conservatives lose Monmouth, a serious matter in a general election, this will merely mean that local Tories wanted to rap their government over the knuckles when they knew they could do so without throwing it out of office, as Tories have done throughout this government's 12 years. If the Liberal Democrats win, this will merely mean that, as so often, the centre party has been the most attractive repository of such protest votes. If Labour wins, it will mean that protest voters decided, on this rare occasion, to "squeeze" the Liberal Democrats rather than Labour. So what?

Add to that the publicity attached to individual candidates and the greater attention by-elections give to local factors, and only a fool would extrapolate from the result, whatever it is. The squeeze determines the swing, and while the squeeze may be predictable by good polling, it tells nothing about any election other than today's in Monmouth.

Nobody, however, has any interest in this

basic truth. The political community is addicted to any horse race it can find. A by-election, with a new prime minister, a deep recession and a general election on the horizon is too tempting to ignore. Here are live candidates, live television cameras and live journalists. Here are party labels and speeches about poll tax, hospitals and taxation. Here are pollsters, canvassers, big names and voters in the flesh. Ever since the great Pickwick, such occasions have surely been the very stuff of politics.

But in the days of Mr Pickwick nobody pretended that by-elections had national significance. No sensible political scientist has ever come up with a coherent relationship between by-elections and national results, at least since the advent of mass publicity. The nearest to a theory is the bland one that centre party candidates who do well in by-elections tend to do quite well in the same seat in a subsequent general election. That merely indicates that by-elections can upset normal voting patterns in some constituencies for years ahead.

None of this will stop Monmouth being treated as a sensational indicator of the nation's mood. It will be seen as a comment on the reform of the National Health Service, on the council tax, on John Major's leadership and on that of Neil Kinnock. It will be that climax of political punditry, a "pointer to the next election". If the Tory party takes any notice of this nonsense, that would indeed be a sign of panic.

UK influence on monetary union

From the Secretary of the Bridges Group

Sir, Your leader, "EMU by stealth" (May 13), rightly questions M Delors' motives for his latest EMU initiative: if we select his "opting-out" clause we immediately have to confront the sensitive question of creating a two-tier Europe, merely storing up a problem for a future parliament; if we pursue our present EMU policy we risk a big battle with the rest of the EC when we veto their proposals.

What must be clear, however, is that if we decide to opt out our "form of words" had better be right. There should be no question of accepting Sir Leon Brittan's formula, whereby we accept a single currency "in principle" and leave it to a future parliament to decide when to join. We have learnt our lesson on that score too many times before.

Yours faithfully,
PATRICK ROBERTSON,
Secretary, The Bridges Group,
3 Whitehall Court, Westminster, SW1.
May 15.

From Sir Christopher Pratt, QC,
MEP for Shropshire and Stafford
(European Democrat
(Conservative))

Sir, It is clear that the British government cannot prevent the emergence of at least some form of European monetary union. It can at most ensure that it takes place outside the structure of the present European Community.

Moreover, given the alternative, no British government could for long stand aside from such a union, whether based on the deutschmark or the ecu. Britain's belated but inevitable entry into the exchange-rate mechanism is compelling evidence for that proposition.

However, the British government can influence the kind of European monetary union that is constructed over the next decade only if it is part of the negotiations leading towards it. I believe your editorial exaggerates the possibility of a highly-centralized, corporatist European monetary union.

The proposed European Central Bank, independent of both national governments and the European Commission and committed by statute to the maintenance of sound money, seems to me the very antithesis of corporatism. Indeed, in many ways it is the logical culmination of Conservative economic policy over the past 12 years and a welcome return to the monetary arrangements which formed part of the British constitution of the 19th and early 20th centuries. But in any event, a British government excluded by its own decision from the negotiating table will be poorly placed to check such corporatist tendencies as may exist among our European partners.

The neglect of these essential considerations has led you to a curious rewriting of recent history, especially in the accusation that the Single European Act represented a "capitulation" by Mrs Thatcher. Mrs Thatcher signed that act because she knew it was the recipe for a European trade area that was open, decentralized and competitive. It is vital that Britain now play its full part in arguing for a European monetary union along the same lines.

The latest proposals by M Delors constitute a further success for the prime minister's European diplomacy. They will allow us to help in shaping the nascent European monetary union, while postponing a decision on the separate and controversial question of Westminster's role in British monetary policy.

Yours faithfully,
CHRISTOPHER PRATT,
(Chairman, European Democratic Group, European Parliament),
2 Queen Anne's Gate, SW1.
May 14.

No 10 press briefings

From Lord Rippon of Hexham, QC
Sir, Publication of Sir Bernard Ingham's memoirs (reports, May 13, 14; leading article, May 14) should be enough to make the case for the abolition of non-attributable press briefings. The American system of open press conferences seems to me to be infinitely preferable to our present practice, which is so clearly subject to abuse. We would also be spared conflicting recollections and interpretations.

Yours faithfully,
RIPPON OF HEXHAM,
House of Lords.
May 14.

Council control

From the Leader of Southend-on-Sea Council

Sir, Professor Ivor Crewe (article, May 4) refers to the Liberal Democrats as "advancing in most of their areas of local strength, except where they ran councils as in Chelmsford and Southend."

For three years (1987-90) the Liberal Democrats had an alliance, official or unofficial, with the Labour party as a result of which they controlled Southend council, but they never had a majority of seats.

In May 1990 Conservative candidates took six of the seven seats being defended by the Liberal Democrats and the council reverted to Conservative control, which it had enjoyed before 1987. Since then we have gained one more seat.

Yours faithfully,
NORMAN CLARKE, Leader,
Borough of Southend-on-Sea Council,
PO Box 6, Civic Centre,
Victoria Avenue,
Southend-on-Sea, Essex.
May 7.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

Sovereignty and realism on the Rock

From Mr John Crookshank

Sir, Sir Anthony Kershaw (May 14) may well be expressing a majority view about the future of Gibraltar but some of his comments and analogies deserve closer attention.

Firstly, and most significantly in realpolitik terms, it is inaccurate to say that Gibraltar now has no military value. During the Gulf war period any visitor to the Rock would have observed much naval and air activity, including a huge US tank-transporter ship, which needed repairs, in the port and RAF Hercules transports regularly on the airport runway. After the war one RAF light ferried four-wheel-drive vehicles from Gibraltar to Turkey to assist the Kurds; these had been partially funded by commercial interests in Gibraltar.

Secondly, the comparison between the political status of Andorra and Gibraltar bears no historical, political — or emotional — scrutiny. More apposite is a comparison between Gibraltar and the Spanish enclaves of Ceuta and Melilla in Morocco.

Although it would probably be more constructive if the Chief Minister of Gibraltar was less offensive about the Prime Minister of Spain, it is far more likely that a solution will evolve through commercial imperatives, which hinge initially on a sensible agreement over the use of the airport, than by the legal niceties of the 1969 agreement.

The only person who has ever seriously suggested handing Gibraltar over to Spain was Sir Samuel Hoare, when he was the British Ambassador in Madrid during the second world war, and his proposal, which was linked to a Spanish guarantee of neutrality in the war, received very short shrift from Churchill.

Although the relative power of Britain and Spain has altered since 1941, the importance of using intelligent commercial and political judgment over the future of Gibraltar is as important as ever, and the Gibraltarians need to be involved in the decision-making process.

Yours sincerely,
JOHN CROOKSHANK (ADC to Governor, Gibraltar, 1958-9),
Ivy House, North Street,
Westbourne,
Nr Emsworth, Hampshire.
May 14.

From the Chief Minister of Gibraltar

Sir, To us in Gibraltar it comes as no surprise that Sir Anthony Kershaw should advocate the surrender of British sovereignty to Spain against our wishes.

It was back in 1981, as chairman of the House of Commons foreign affairs committee, that he recommended concessions to Spain questioning both the wisdom and morality of the British government's commitment, written into the preamble to our 1969 constitution, to give the Gibraltarians the right to determine their own future. Now he goes further, and in a manner which surely ill befits any democrat he asks that the preamble should be scrapped, in dismissive contempt of the people of Gibraltar.

Presumably he prescribes the same fate for a similar constitutional pledge enshrined in the 1988

constitution of the Falkland Islands, for which Britain and its people risked and sacrificed so much.

He refers to Andorra as an example of a condominium between France and Spain. Sir Anthony seems unaware that the co-princes of Andorra, Francois Mitterrand and the Bishop of Urgel, are apparently prepared to accept that sovereignty resides with the Andorran people. The authoritative Spanish newspaper *El Pais* reported on April 27 that

The co-princes of Andorra are prepared to recognise popular sovereignty and to draw up a constitution for the principality which should establish the principle of separation of powers and the establishment of a state in its own right.

The separation of powers has been provided for in Gibraltar's constitution since 1969. Sir Anthony Kershaw does a great disservice to the traditions and principles of British democracy and to the aspirations of a new diverse European family of peoples by trampling on, and negating, the rights of the people of Gibraltar to decide how they wish to live in their own homeland in harmony with their neighbours.

Yours faithfully,
JOE BOSSANO, Chief Minister,
Government of Gibraltar,
6 Convent Place, Gibraltar.
May 15.

From Lord Boyd-Carpenter

Sir, It seems a little odd to see a much-respected former Conservative member of the House of Commons advocating that this country should break the word it gave in 1969 and hand over Gibraltar, which has been British for nearly three centuries, to a foreign power.

This would undoubtedly be regarded by the people of Gibraltar as a betrayal and as a remarkably shabby acknowledgement of their loyalty to this country in peace and war. They have quite recently made their views known and we should surely regard this as decisive.

We could invite the attention of the Spanish government to the terms of the Tenth Commandment.

I am, Sir, your obedient servant,
BOYD-CARPENTER,
House of Lords.
May 14.

From Captain Basil Watson, RN (retd.)

Sir, May I be permitted to comment on one of the points made by Sir Anthony Kershaw? I have long thought how very useful and pleasant it would be if Portland Bill were to be made a part of Spain. Not only could this help to resolve the current political differences, but also there would be obvious advantages if Spanish culture could be made more easily available, for those who liked it, without the need to cross the water.

Some years ago I mentioned this to the then defence secretary, whom I was sitting next to at lunch. He made a note on a small pad. I heard nothing further about the matter, but then I remember it to have been rather a good lunch.

Yours faithfully,
BASIL WATSON,
Paddock Cottage,
Idbury, Oxfordshire.
May 14.

Choir schools

From the Head Master of Wells Cathedral School

Sir, Hugh Thompson's interesting article, "Choir schools fear the sound of silence" (Education, May 13), makes no mention of the one specialist music school in England which is also a member of the Choir Schools Association.

Wells Cathedral School has educated choristers who sing in the cathedral for at least 800 years. Like Salisbury, we are currently in the fortunate position of experiencing considerable demand for places, but none of us can afford to be complacent and we are all well aware of the decline in provision for music in many local authorities.

At Wells we are in close contact with one of the county music advisers, seeking ways in which this school might be able to offer practical, albeit small, assistance. We are also well aware of the burden of increasing fees.

The parents of choristers and specialist musicians are turning more and more to seek assistance from the small number of charitable trusts that are able to provide some help.

Yours faithfully,
J. S. BAXTER, Head Master,
Wells Cathedral School,
Wells, Somerset.
May 13.

Musical scapegoats?

From Mr Albert Filosa

Sir, Bernard Levin's column of April 25, impugning the courage of the musicians of the Philadelphia Orchestra, raises a disturbing question: is it not possible, in view of both the current recession and more specifically the serious damage to the tourism industry in London as a consequence of Desert Storm, that we have been singled out as scapegoats?

All orchestra tours require that plans be finalized months in advance of actual departure. We had to face the question whether to proceed with our scheduled tour of Europe while the war was raging, large corporations had grounded their employees, our State Department had announced a travel advisory warning, and insurance companies, in response to our inquiries, were reminding us of the "act of war or terrorism" exclusion clauses in our coverage.

Furthermore, a sobering article in the *March issue of Consumer Reports' Travel Letter* noted the risks associated with high-visibility targets abroad and advised against travel with large groups of other Americans.

Ours is an orchestra of troopers, some of whom are also decorated war veterans; even they felt that the circumstances this time called for special precautions.

London has always been a

Reserve forces for disasters

From General Sir John Akehurst

Sir, The letter from Brigadier O'Brien (May 8) about preparing for civil disasters, strongly supported by Mr Cooper (May 13), suggests that when the "peace dividend" is paid it will be without regard to this important role. The Council of Territorial, Auxiliary and Volunteer Reserve Associations hopes that this will not be so.

The reserve forces, and particularly the Territorial Army's organisation, manpower, communications and equipment, together with their deployment throughout the country, offer a powerful and valuable resource, whose suitability for this vital task has never been officially recognised. It is the council's contention that the country is wasting an asset which is readily available at little extra cost.

There have been three arguments against specifying the volunteer reserves as an agency for immediate use in peacetime disasters. The first is a political fear that "aid to the civil power" could be interpreted as including riot control and strike-breaking. This is simply a matter of defining "disaster".

Secondly, that employers would object to volunteers being taken from them at no notice for an open-ended commitment. This is to underestimate the humanitarian and public spirit of most employers, and it is hard to visualise a commitment lasting more than a few days at most.

Finally, those local authorities who have been helped in the past complain that savage bills are later raised against them for "total costs". We suggest that these should be calculated on the basis of "additional" costs and that the Ministry of Defence should absorb the soldiers' pay and the equipment wear as having provided good training for those involved.

We do not deny that a national coordinating authority is needed, and do not suggest that the military should provide it. We simply argue that the reserve forces are ready, willing and able to help, whoever is in charge.

We have represented these views to the Ministry of Defence as one of the many justifications for maintaining the strength and nationwide deployment of the volunteer reserves when decisions on "Options for Change" are taken.

Yours faithfully,
JOHN AKEHURST (Chairman),
Council of Territorial, Auxiliary and Volunteer Reserve Associations,
The Chapel, Duke of York's HQ,
Chelsea, SW3.
May 13.

The Prince in Prague

From Mr Graham E. Warren

Sir, So, according to Prince Charles (report, May 8) the good burghers of Prague need to beware of planners. Just what does the heir to the throne think town planners do?

Part of our role is to manage land and buildings as an environmental and financial resource. Who else has the ability to balance fiscal and environmental conservation issues? Prague needs such skills if it is to retain its historical fabric.

Yours faithfully,
GRAHAM WARREN (Chairman),
Chapman Warren (town planning and development consultants),
1 High Street, Wroughton,
Swindon, Wiltshire.
May 9.

From Mr David Lewis

Sir, I am an architect. I hold robust, some might say immoderate, views about the relative merits of other members of our society. These include socialists, silly fellows who mean well but keep nagging me from an unassailable position about problems I am already aware of and doing my best to resolve, and many more.

But it would not occur to me to describe any of them as some of the greater evils of the capitalist world, least of all to an Eastern European audience who must know a thing or two about evil.

Yours faithfully,
DAVID LEWIS,
30 Oval Road, NW1.

Milestone

From Ms Helen Corkery

Sir, At a time when sliced bread (letters, May 8, 13) began to fill the shops I sought the opinion of the owner of a very large bakery. Was he happy about it?

Having described the care taken to produce a loaf perfect in body and crust, he said: "If you really want my view, a cut loaf is a good job spoiled".

No doubt he would say that the best thing before sliced bread was the uncut loaf.

Yours faithfully,
HELEN CORKERY,
52 Harrison Close,
Woodlands, Reigate, Surrey.
May 13.

From the Dean of Merton College, Oxford

Sir, The best thing before modern sliced bread was ancient broken bread. Loaves found at Pompeii had slashes across the crust, radiating from the centre, to make breaking easy.

It was Christ's manner of breaking bread that enabled the disciples at Emmaus to recognise him as risen Lord (Luke 24:30).

Yours truly,
THOMAS BRAUN, Dean,
Merton College, Oxford.
May 10.

CHANNEL 4

- 6.00 The Channel 4 Daily Includes a report from the Carnies film festival
- 9.25 Schools
- 12.00 The Parliament Programme presented by Sue Cameron
- 12.30 Business Daily introduced by Susannah Simons
- 1.00 Sesame Street. Educational series for pre-school children with guest Linda Ronstadt! (I)
- 2.00 On the March: All Work, Some Play. A compilation from the American March of Time newswear takes a look at working women. Welsh mining and state-aided art programmes in the United States (I)
- 2.30 Channel 4 Racing from Royal Brough Scott introduces live coverage of the 2.35, 3.10, 3.40 and 4.15 races
- 4.30 Fitter to Go! Quizzes and quiz hosted by William G. Stewart
- 5.00 Famous for 4 Minutes. Another unknown gets his or her chance of a media soap box
- 5.05 T4 Oprah Winfrey Show: Before and After Marriage Counselling. A group of unhappy married couples were given the opportunity of a weekend's free therapy with marriage counsellor Dr Harville Hendricks. They return to the studio to discuss how the weekend changed, or failed to change, their lives
- 6.00 Time Tunnel: The Crack of Doom. Series six series about two time-trapped scientists with the unfortunate habit of popping up at the most dangerous moments in world history. This episode finds them on the slopes of the Krakatoa, a volcano about to explode. Starring James Darren and Robert Colbert
- 7.00 Channel 4 News presented by Nicholas Owen and Zeinab Badawi (Teletext) Weather
- 7.50 Comedy



Portraying a threatened eco-system: Bruce Pearson (8.00pm)

8.00 Birdscape: The Last Great Wilderness.
 ● **CHOICE** Anyone who imagined that Bruce Pearson's series would be an amateur's round Britain to paint his bird life will be sharply disabused by tonight's programme. Pearson makes two hats, wildlife artist and naturalist, but the eagle is hardly seen. The birds are there, all right, but Pearson is so busy mounting a party political broadcast for the Greens that he has little time to capture them in paint. The wilderness of the life is the flow country; in the far north of Scotland, a peat bog dappled with streams and peat until the forestry people moved in. In the last decade a quarter of the country has been ploughed to make way for trees. Pearson is agnostic. He claims that a complex ecosystem is being threatened and fears that among the victims will be his favourite bird, the red-throated diver.

8.30 The Crystal Maze. Action adventure show hosted by Richard O'Brien. More contestants tackle the obstacles and games of the maze in the hope of picking up enough time crystals to enter the Crystal Maze. (Teletext)

9.30 Point to Point. A look at Auden, a repeat of the enjoyable series in which Alan Bennett looks at 20th-century British poets. Bennett discusses Auden's life and work, reads some of his poems and argues that the writer's greatness lies in a certain ambiguity in his verse. There is also a treasurable joke about Auden being an early GI bride (r). (Teletext)

10.00 Film: Shady (1986). A bizarre black comedy starring Anthony Sher as bankrupt car mechanic Oliver Shady, who has the ability to turn pictures into reality. In the film Shady turns a picture of his sister's head into a real woman, but he has to sell her to his talent to raise the money for a sea change operation, but he gets caught up with unscrupulous industrialist Cyril Landau (Patrick Macnee) and is sold to the Secret Service. Insect, insanity, abduction and murder add to an already complicated plot. Despite Sher's best efforts and a good supporting cast (Gillie Whitlock, Katherine Helmond and Bernard Hepton) playwright Snoo Wilson's script fails to take off. Directed by Philip Saville

11.45 A Week in Politics – Lane Sifting. Includes coverage and analysis of the Moonmouth by-election result, and a look at the relationship between the Labour party and the unions in the run-up to the general election. Ends at 1.15am.

Grand Prix, San

himself pinned by two French girls. Co-stars Juliette Peltier and Josephine Pascal. 3.10 *The Warriors* (1979): A New York street gang is hunted for a murder they did not commit. Starring Michael Beck and James Remar. Ends at 4.45

SKY SPORTS

- *Via the Astra and Marcapolo satellites.*
- 10.00 Australian Rugby League 4.00
- Flaming the West 7.00 Hydroxylating 8.00
- Flaming the West 7.00 8.00 ATP Tennis
- Magnum 8.00 Australian Rugby League
- 10.00 Torque 11.00 WNF Wrestling Channel
- 12.00 Australian Rugby League

SCREENSPORT

- *Via the Astra satellite.*
- 7.00pm Formula 1 Grand Prix 7.30 British
- Cop Rally Championship 8.00 Cycling
- Pro of Spain 8.30 Dupont Cycling 9.00 US
- Pro Boxing 10.00 Sport Surfing 11.00 World
- Snooker Classics 1.00pm Motor Sport 2.00

4.30 Cycling Tour of Spain 6.00 Windsor
Horse Show 7.00 live 1.20 8.00 Argentine
Football 9.00 Spanish Football 10.00
Cycling Tour of Spain 10.30 Dupont Cycling
11.00 Spanish Football 12.30pm Golf

LIFESTYLE

- *Via the Astra satellite.*
- 10.00am Great American Gameshow
- 11.15 Colton Brier 12.00 Everyday Work-
out 11.50 Work With Yan 12.15pm Sal-
vage! Rachael 1.05 Style File 1.10 Search
for Tomorrow 1.40 The Edge of Night 2.05
Divorce Court 2.30 Lifestyle Play 2.40 Darts
3.10 Remington Steele 4.00 Tea Break 4.10
Doe 4.40 Great American Gameshow 6.00
The Soka-Vision Shopping Channel 8.00
Soca 10.00 The Soka-Vision Shopping
Channel 12.00 SocaVision Junction

MTV

- *Via the Astra satellite.*
- Two-hour hours of rock and pop

30 Financial corrup

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Free fall: a member of the Red Devils display team falling from 3,000ft over the Hampshire countryside yesterday. The photograph was taken by Jonathan Dyer, another member of the team (inset), as he jumped. The Red Devils were

demonstrating their skills as the Ministry of Defence announced that the team is trying to negotiate a free fall advertising deal, for an annual fee of £300,000, to save the group from being disbanded (Michael Evans writes). The Parachute

Regiment, from which the team members are selected, also hopes to raise its public profile at a time when the ministry is cutting the number of regiments. The ministry said the sponsorship money would go towards team equipment. The

sponsor's name would be on 32 parachutes, guaranteeing promotion during more than 200 jumps a year. The deal would include use of the regimental golf course, two regimental bands and an unarmed combat display team.



New-found gene may stop cancer

Continued from page 1

long thought to be the place where the tumour suppressor genes would be found. Dr Croce believes that if the gene is present, cells can produce enzymes called phosphatases, which remove the phosphate from a potential tumour cell and prevent it from proliferating. If the gene, called PTP-gamma, is not there, however, cells can multiply out of control, producing tumours.

Lung cancer is the commonest form of cancer in Britain, causing more than 35,000 deaths a year.

● In another study presented to the conference yesterday, Peter Howley, of the National Cancer Institute, Bethesda, Maryland, said that cervical cancer also appears to be caused by the inactivation of tumour-suppressor genes. In this case, the protective effect of the genes is damaged by viruses, letting tumours develop.

Whitehouse attacks TV on rise in bad language

By PETER VICTOR

SWEARING, blaspheming, and obscene language on television have more than doubled in the past two years, with the word "shit" and its derivatives and synonyms, featuring 433 times in late-night films last year.

In *The Debasement of Language*, the latest report by the National Viewers' and Listeners' Association, Mary Whitehouse, its president, said that bad language in late-night films on BBC and independent channels had increased despite commitments to attempt to eradicate "gratuitous use of language likely to offend" made by Marmaduke Hussey, the chairman of the BBC, and by the Independent Television Commission.

The association examined 29 films broadcast in 1989, 37 in 1990 and 16 for the first three months of this year. "It is all too obvious that prom-

ises and paper commitments by both authorities have had no effect whatever upon programme makers," Mrs Whitehouse said. "This leads us to believe that there is either a lack of will or an impotence deplorable in people who carry so much responsibility."

The use of the word "shit" in the BBC drama *Chalkface* — a series about a modern secondary school — was singled out for extra criticism by Mrs Whitehouse. "We would draw attention to this series, transmitted during family viewing time. The fact that it (the word shit) is used by a teacher as a matter of course underlines the irresponsibility of those concerned."

The ITC said the number of viewers' complaints about bad language had dropped by 4 per cent last year. The BBC said it was "puzzled" by the report. "Fewer than one in four

viewers phoned with any comments at all about the language in the films. We apply strict guidelines, and bad language is frequently edited out where we feel it is gratuitous."

Leading article, page 19



Whitehouse: says pledges broken by broadcasters

Cresson makes French history

Continued from page 1

After he was selected by Mitterrand for the demanding task of managing a minority government was hardly unexpected. A steady flow of leaks from the Elysee had prepared the way for yesterday's announcement, though Mme Cresson's name was only one of several. In the event, Mitterrand took the gamble that her appointment would signal the emergence of the Socialists from a lengthy period in which the lack of parliamentary votes and a long-running scandal over campaign financing have combined to damage them in the opinion polls.

Although M. Rocard remains a popular and trusted figure, his repeated use of the guillotine to force through legislation and the recent withdrawal of important legislation that looked certain to be rejected by the opposition has hurt the party's image. Some observers consider that

M. Rocard was ready to step down, calculating that a spell on the backbench will do his hopes of challenging for the French presidency in 1995 no harm at all. M. Rocard's identification with a pragmatic "centrist" philosophy of government damned him in the eyes of the traditional left-wing. Quite what ideological platform Mme Cresson now occupies is uncertain after resigning from the government last October in protest over measures to protect France's industrial capacity, she has since been working for a major French electronics concern. Her essential qualification, it could be said, is that to a keen intelligence and great personal charm is added unswerving loyalty to M. Mitterrand.

The response of the Paris bourse and foreign exchange markets to the appointment appeared encouraging, and the public will be asked to pass judgment in the polls to which the French are addicted.

Political sketch

Dazzled by the nearly man

SOMETIMES one camera flash, one pose, one everything. A politician can be seen illuminated like a butterfly on the wing, pinned, caught under the glass of a display case, frozen in flight, pressed in all his colours within the pages of the Official Report.

Most politicians do not show themselves as butterflies do. Some never open their wings. Others reveal only a part, or gradually as we learn more. But there are men and women able to show all at once: past, future, virtues, vices, career, in a single performance.

Yesterday the new chief secretary to the treasury, David Mellor, grabbed the Commons spotlight and in one dazzling performance demonstrated why he deserves to reach the very top in politics, and why he never will. It was a blend of vanity, generosity and sheer class.

Mellor was a barrister, and remains one from fingertips to gold cuff-links to scuffed shoes. "Have brief, will travel," he travels ideologically light. Is it a ruthless prosecution you require, or a plea in mitigation? Mr Mellor will provide either: please specify. Is it the Oil and Gas (Enterprise) Bill you want taken through committee, a thumping attack on video nasties you want to hear, or do you wish to sell power stations to Nigeria? Mellor's your man, for he has done all these things.

Always fluent, never stumped for a reply, the minister's knowledge is half an inch deeper than each subject requires. He will read it up in an afternoon. His every brain-cell a tiny athlete, Mr Mellor is an intellectual sprinter and a political fly-half. Write out on half a sheet of foolscap what you want him to do, and hand it to him the evening before.

Yesterday was Wednesday and Mr Mellor was chief secretary. They wanted him to propose a motion approving treasury expenditure

plans. No problem. It was one of the most accomplished speeches this year. Heeklers were tossed lightly aside: "Aha, I see the hon gentleman for Newcastle East has come equipped with his derisive laughs" (laughter) ... "As the prime minister said two years ago when he occupied the post of chief secretary ... (laughter) Steady on, David ...

"The hon gentleman wishes to intervene on Europe? I have left Europe." (laughter). And (to the Labour's grinning Frank Hayman) "I cannot give way to the hon gentleman, despite his very fetching body language." (laughter).

It was time to throw in a few facts and figures, and Mr Mellor threw in just enough to prove his numeracy. There was a revealing moment when he refused to take a question from the razor-sharp Nick Budgen (on his own side), then happily took a hostile one from Labour's harmless David Winnick. A flash of unpleasantness surfaced only momentarily as he snapped at Labour's John Smith, (his elder, as shadow-chancellor): "Look. You want to be punctious, let's be punctious ..."

The chief secretary described "the hole in the centre of Labour's mist". "I wish to appeal to all sections of my audience, this afternoon." "I'm going to get there by hook or by crook ... Steady on, David ..."

Then he took a swipe at Michael Meacher "lurching back like something out of the Munsters," and amid the laughter, insisted that he must soon end his speech. "More!" all the Tories cried, so he gave them more. One of the things he gave them was this: "Just like that" as the late Tommy Cooper used to say ... (laughter) "How we could do with Tommy Cooper right now!"

Steady on, David.

MATTHEW PARRIS

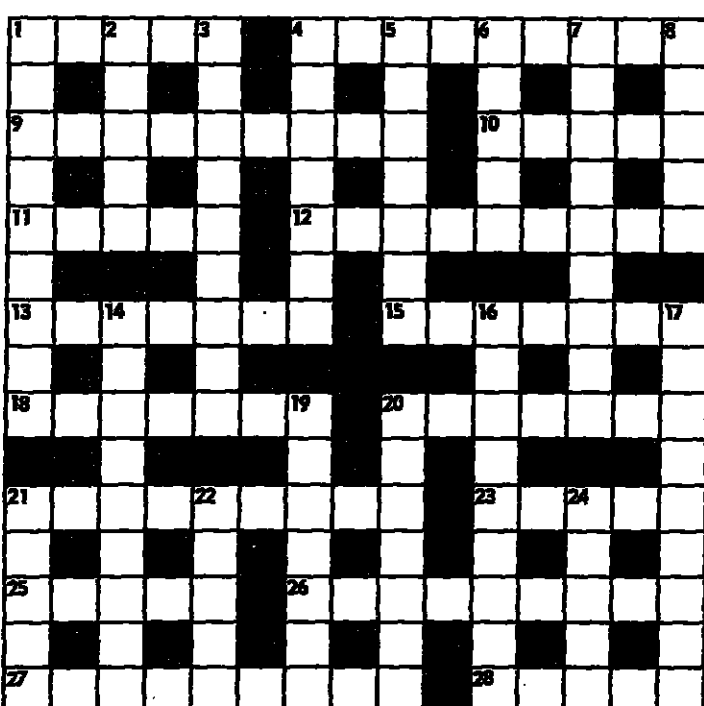
TOMORROW IN THE TIMES

Shame in the car showroom: A new Rover Mini Mayfair, built in Birmingham, costs, on average, £4,815 in Britain. In Italy, the car would cost £700 less, in Germany, £1,000 less, and in France, nearly £1,300 less. As the

fièvre over car pricing grows, fuelled by a report by the Monopolies and Mergers Commission, Kevin Eason looks behind the figures for the facts

Old masters in season: Summer is traditionally the time for exhibitions dedicated to the art of the past. John Russell Taylor visits six shows spanning five centuries

THE TIMES CROSSWORD PUZZLE NO 18,607



WORD WATCHING

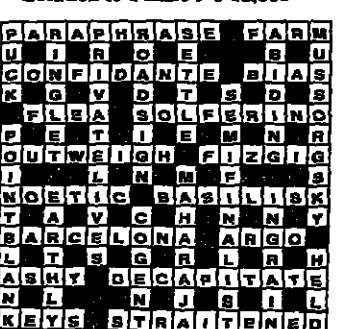
A daily safari through the language jungle. Which of the possible definitions is correct?

By Philip Howard

- ACROSS**
- Investor in stock exchange loss (5).
 - Carefully chosen cheer-leader — her cheer is stirring (9).
 - Club programme for a flyer (9).
 - A poor performer, not quite a teacher (5).
 - A Building Society loss (5).
 - Submit extremely bad animation for picture (5,4).
 - A writer's attributable (7).
 - Sea change that is legal (7).
 - Line of dynasty entangled but not bent (7).
 - He receives money, perhaps, to give directions (7).
 - Assistance from starter holding or backing horse (9).
 - The patriarch is a preacher at heart (5).
 - Beethoven's fifth takes a little practice (5).

- DOWN**
- One who helps satanists in corruption (9).
 - A ball at the theatre? (5).
 - State team receiving money for big win (9).
 - A different impression forming about the outcome? (7).
 - Card-carrying occupation? (7).
 - Record run in unaccompanied ascent (5).
 - Tap originally rented instead of hired carriage (9).
 - Cover-up on electors' first choice (5).
 - Established understudy for an artist (9).
 - Use field craft to enclose cattle when there is likelihood of escape (9).
 - Task many performed (9).
 - Cup-holders seen here having drinks before the dance (7).
 - Payment for changing round, for example (7).
 - Expression of impatience from author after parking (5).
 - Out and about, beyond the normal limits (5).
 - Only the Ancient Mariner was on a wide, wide sea (5).

Solution to Puzzle No 18,606



Concise Crossword, page 21

Most of England and Wales should be dry and bright with sunny spells. Eastern and south-eastern windward coasts may just catch an isolated shower. Scotland will be dry, apart from patchy rain in the north, but cloudy, with hazy sunshine limited to sheltered southern and central areas. Northern Ireland will be cloudy, but mostly dry. Outlook: cloudy, perhaps with a little rain. Becoming brighter.

MIDDAY: 1-thunder, 2-dizzle, 3-log, 4-sear, 5-fog, 6-mist, 7-rain, 8-sun, 9-clear, 10-breeze, 11-fair, 12-breeze, 13-rain, 14-sun, 15-clear, 16-breeze, 17-fair, 18-breeze, 19-rain, 20-sun, 21-clear, 22-breeze, 23-fair, 24-breeze, 25-rain, 26-sun, 27-clear, 28-breeze, 29-fair, 30-breeze, 31-rain, 32-sun, 33-clear, 34-breeze, 35-fair, 36-breeze, 37-rain, 38-sun, 39-clear, 40-breeze, 41-fair, 42-breeze, 43-rain, 44-sun, 45-clear, 46-breeze, 47-fair, 48-breeze, 49-rain, 50-sun, 51-clear, 52-breeze, 53-fair, 54-breeze, 55-rain, 56-sun, 57-clear, 58-breeze, 59-fair, 60-breeze, 61-rain, 62-sun, 63-clear, 64-breeze, 65-fair, 66-breeze, 67-rain, 68-sun, 69-clear, 70-breeze, 71-fair, 72-breeze, 73-rain, 74-sun, 75-clear, 76-breeze, 77-fair, 78-breeze, 79-rain, 80-sun, 81-clear, 82-breeze, 83-fair, 84-breeze, 85-rain, 86-sun, 87-clear, 88-breeze, 89-fair, 90-breeze, 91-rain, 92-sun, 93-clear, 94-breeze, 95-fair, 96-breeze, 97-rain, 98-sun, 99-clear, 100-breeze, 101-fair, 102-breeze, 103-rain, 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756-breeze, 757-rain, 758-sun, 759-clear, 760-breeze, 761-fair, 762-breeze, 763-rain, 764-sun, 765-clear, 766-breeze, 767-fair, 768-breeze, 769-rain, 770-sun, 771-clear, 772-breeze, 773-fair, 774-breeze, 775-rain, 776-sun, 777-clear, 778-breeze, 779-fair, 780-breeze, 781-rain, 782-sun, 783-clear, 784-breeze, 785-fair, 786-breeze, 787-rain, 788-sun, 789-clear, 790-breeze, 791-fair, 792-breeze, 793-rain, 794-sun, 795-clear, 796-breeze, 797-fair, 798-breeze, 799-rain, 800-sun, 801-clear, 802-breeze, 803-fair, 804-breeze, 805-rain, 806-sun, 807-clear, 808-breeze, 809-fair, 810-breeze, 811-rain, 812-sun, 813-clear, 814-breeze, 815-fair, 816-breeze, 817-rain, 818-sun, 819-clear, 820-breeze, 821-fair, 822-breeze, 823-rain, 824-sun, 825-clear, 826-breeze, 827-fair, 828-breeze, 829-rain, 830-sun, 831-clear, 832-breeze, 833-fair, 834-breeze, 835-rain, 836-sun, 837-clear, 838-breeze, 839-fair, 840-breeze, 841-rain, 842-sun, 843-clear, 844-breeze, 845-fair, 846-breeze, 847-rain, 848-sun, 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Pöhl tells Kohl why he plans to resign

KARL Otto Pöhl, the Bundesbank president, is last night understood to have told Helmut Kohl, the German chancellor, that he had decided to step down for personal reasons and not because of recent disagreements with the Bonn government about fiscal policy and German monetary union.

He is believed to have emphasised he had a good working relationship with Theo Waigel, the finance minister, and Gerhard Stoltenberg, his predecessor.

Herr Pöhl promised to make a statement today after a scheduled meeting of the Bundesbank's central decision-making council.

GrandMet pub deal costs rise

THE breweries-for-public houses swap by Grand Metropolitan with Foster's has cost it £127 million, £28 million more than envisaged when the deal was agreed three months ago.

The loss is included in a £134 million extraordinary item, which reduced GrandMet's retained profit to £43 million in the six months to end-March. The larger loss reflects lower tax relief.

Currency translation was one reason for GrandMet's interim 7.8 per cent pre-tax profits fall to £377 million. The other was the absence of property profits, which fell from £44 million in the first half of 1989-90 to £7 million in the first half of this year. The interim dividend is being increased 10.5 per cent to 8.4p.

Comment, page 27

Ultramar dives

Ultramar, the diversified oil and gas group, reported net income down from £18.2 million to £2.3 million for the first quarter this year, reflecting lower oil prices. After stripping out stock losses, profits were £30.8 million, against £6.3 million. Earnings fell from 5p a share to 0.6p.

Tempos, page 27

US dollar
1.7470 (+0.0085)
German mark
2.9558 (-0.0005)
Exchange index
91.9 (+0.1)

FT 30 Share
1926.2 (+0.9)
FT-SE 100
2459.4 (-4.3)
New York Dow Jones
2877.24 (-9.61)
Tokyo Nikkei Ave
2582.47 (-207.61)

London: Bank Base: 12%
3-month interest: 11.1% (+11%
3-month eligible bills: 11.1% (+11%
US: Prime Rate: 8.5%
Federal Funds: 7.5%
3-month Treasury Bills: 5.47-5.48%
30-year bonds: 9.7% (+0.7%
New York: Bank Base: 12%
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CBI finds faint signals of upturn in North and Scotland

By PHILIP BASSETT, INDUSTRIAL EDITOR

SLIGHT signs of an upturn in the economy came yesterday when companies in Scotland and the North showed a rise in orders, according to the latest industrial survey from the Confederation of British Industry. But overall, the CBI said the recession had deepened since the year began.

Such conflicting results from large-scale surveys are typical of findings at or just before a turning point in the economic cycle, and CBI economists said they did not yet even indicate that the recession was bottoming out, but merely that the speed of the decline was slowing.

The positive figures for orders in Scotland and the North, and for business optimism in the North, however, are the

first since the CBI began regional breakdowns of its quarterly *Industrial Trends*.

In overall terms, the survey showed that the regions worst hit by the recession have been the West Midlands, the Southeast and Wales, with low capacity utilisation and sharp falls in output. The North, Scotland and the Northwest have been less affected. The South and Southeast are now faring better than average, but the East Midlands, which had previously escaped recession, has now succumbed.

The North was the only region to show an actual increase in its business confidence balance - the difference between those feeling more optimistic and those feeling less. Its figure moved from a balance in January of minus 42 per cent to

plus 7 per cent in April, according to the CBI survey, carried out with Business Strategies, a management consultancy.

Though all other regions, barring Northern Ireland, showed improvements in confidence on a similar scale, no others returned a positive balance. The nearest to the North's figure was the Southeast, which still showed a negative confidence balance of minus 5 per cent. Business leaders and government economists will look, though, for positive figures on the hard lead indicators of output and orders, and the CBI said its regional analysis showed the "first hint" of improving orders.

A balance of 6 per cent of companies in Scotland forecast improving orders over the next four months. Scotland's last

forecast on orders four months ago proved roughly right. In the North, a balance of 7 per cent forecast better orders, after the actual outturn of orders in the last four months, at minus 5 per cent, had proved better than the forecast of minus 12 per cent. CBI economists were unable accurately to suggest why this strictly limited turnaround should have taken place in these two areas, but said it might be to do with the distribution of industries, the fact that their economies had not been greatly overheating before the downturn and that they might not have plunged so deeply into recession as some other regions.

Beyond these as-yet only marginal improvements, the CBI's breakdown showed the recession has actually deep-

ened in all regions over the last four months, with manufacturing output falling much more sharply almost everywhere. In the North and Northwest, which saw only slight falls in activity in January, the decline in output was much steeper in April.

However, the CBI said that the next few months should see smaller reductions in output. In overall terms, confidence is still evaporating, with the largest falls reported in Wales, Scotland, Northern Ireland and the West Midlands. The North expects both to see unit costs fall, and prices to run ahead of costs, though rapid falls in employment are expected in all regions. In almost all regions, the fall in employment was worse than expected, though slightly smaller decreases are now expected.

Prospect of takeover raised

Hanson says it is buyer of ICI stake

By MARTIN WALLER AND ROSS TIEMAN

THE mystery bidder for shares in ICI, Britain's biggest manufacturer, was Hanson, the cash-rich conglomerate, which raises the prospect of the biggest takeover bid ever to be launched on the London market.

ICI said it had been informed that Hanson had bought about 20 million shares, or 2.82 per cent, "for investment purposes" on Tuesday. Even ahead of the formal acknowledgment that Hanson was involved, which came just as the London market closed yesterday, ICI shares had advanced 60p to £12.18, and another sharp

jump today looks inevitable.

Sir Denis Henderson, ICI chairman, was at ICI's headquarters at Millbank, in London, but a spokesman insisted he was "not available for comment".

For his part, Martin Taylor, the Hanson vice-chairman, refused to add to the formal announcement.

The next full meeting of the ICI board is scheduled to take place until June 27. Sir Denis was asked by his boardroom colleagues in February to stay on as chairman for a second term until 1995.

Dealers were immediately speculating on the reason for Hanson's purchase, which cost it about £240 million, a

sum dwarfed by the group's £7.5 billion cash pile.

Geoff Allum, analyst at County NatWest and a long-time Hanson observer, said: "I think he has an eye for value and he knows ICI is at its cyclical low point, and he perceives value there."

"I would think he is more likely to bid than not. He desperately needs to turn his huge UK cash pile into assets to ride the cycle back up."

A bid for ICI would be good for Hanson shares. "The anti-Hanson camp has been saying he can't find anything big enough. If he gets ICI, he is set up for quite some time to come," Mr Allum said.

Lord Hanson is a long-standing and skilled player on the bid scene. His normal gambit is to take over a conglomerate that has become top-heavy and lost its way, recouping much of the purchase price, or in some cases subsequently more than he originally paid, by strategic disposals. Among the successes are London's biggest ever corporate purchase, the agreed £3.5 billion cash and warrant bid for Consolidated Gold Fields in 1989.

But there are two immediate stumbling blocks to a hostile full-frontal attack on ICI, worth £8.7 billion at last night's share price and long regarded as the bellwether of British industry.

Both ICI and Hanson's SCM offshoot have substantial interests in the production of titanium dioxide, used as a white dye in a range of industrial processes. The overlap is almost certainly sufficient to prompt an enquiry by the Monopolies and Mergers Commission.

Second, the purchase of a company as vital to the British economy and which spends almost £700 million a year on research and development, would inevitably arouse intense political opposition, given the perception of Hanson as an asset-stripper.

Green bill, page 26

Comment, page 27

Taking a stake in a world leader

By OUR INDUSTRIAL EDITOR

FOR £240 million, Hanson has bought 2.82 per cent of Britain's biggest manufacturer, and one of the five largest chemical companies in the world. "World Problems - World Solutions" runs its current advertising campaign, and worldwide, its scale is enormous: 132,000 employees, working in 150 different countries, with 220 manufacturing plants in 40 countries.

What may attract Hanson is that many ICI businesses are world leaders in their own right. ICI Paints is the world's largest paint company. ICI Pharmaceuticals makes the world's leading anti-cancer drug, and the leading beta-blocker heart drug.

But for all that its results in 1990 were poor enough for Sir Denis Henderson, ICI's chairman, to describe them as "disappointing", ICI Group sales in 1990 were £12.9 billion, down 2 per cent on the record figures the group achieved in 1989. Pre-tax profits were £977 million, 36 per cent down on 1989.

In Britain, ICI is the United Kingdom's largest civil ex-

porter. When defence exports are taken into account, only the combined British Aerospace-Rover group outranks it in the exports league table. Exports account for 52 per cent of ICI's total UK production.

The company employs 55,000 people in the UK directly, and supports indirectly the employment of another 200,000.

Close to 70 per cent of ICI's £639 million research programme is carried out in the UK, with the company one of Britain's largest employers of research scientists.

Most of its 708 million shares are registered in the United Kingdom, with about 17 per cent of the company's equity owned or controlled outside Britain. About 12 per cent of it is in the America. At the end of 1990, ICI had 348,556 shareholders, many of them big institutional investors.

A hundred shareholders held more than a million shares each, to a total of 344 million shares - almost half the total in the company.

'Dialogue of deaf' at Gatt

By COLIN NARBROUGH, ECONOMICS CORRESPONDENT

IN A departure from his usual diplomatic approach, Arthur Dunkel, the head of the General Agreement on Tariffs and Trade, has launched a ferocious attack on the European Community and America for holding up trade talks that promise the world an era of dynamic growth.

Mr Dunkel, GATT's Swiss director-general, accused Brussels and Washington of engaging in a "dialogue of the deaf" while the rest of the world stands helplessly by as the chance of economic benefit slips away.

In a speech to the European Atlantic Group at the House of Commons, Mr Dunkel urged both parties to the Transatlantic dispute to put their money where their mouth was over commitments to liberalise world trade.

He said: "Let us be in no doubt, the days of passing the buck all round the globe as a means of avoiding the crucial political challenges in trade



Dunkel: ferocious attack policies are long gone."

The focus was now clearly on Washington, Brussels and the other capitals of Europe.

GATT's ambitious Uruguay Round of talks, originally due for completion at the end of last year after four years of negotiation, have been kept alive at a technical level, thanks largely to the efforts of Mr Dunkel.

Noting that trade officials at the Gatt talks in Geneva and

many of the 108 member governments were anxious to start the final phase of the Uruguay Round, Mr Dunkel said he saw no reason why there should not be "significant progress".

Recalling Gatt reports on the Community and America, he said trade relations across the Atlantic were "bedevilled by accusations, self-righteousness, mutual misunderstanding and the inability to distinguish special-interest pleading for the general public good."

Mr Dunkel stressed the political responsibility the Community and America shared over freer trade. He said the Uruguay Round was about growth that would allow world economic improvement, protection of the environment, economic reinforcement and political reform in the emerging democracies of eastern Europe.

America, while holding up the Gatt talks, has been pressing other leading economies to give priority to faster growth and less attention to reducing inflation.

Recession fails to subdue Sainsbury

By GRAHAM SEARJEANT, FINANCIAL EDITOR

J SAINSBURY, Britain's biggest retailer, sailed through the winter recession in consumer spending to increase pre-tax profits from £451 million to £518 million in the year to end March as sales rose 13 per cent to £8.2 billion.

Excluding property profits, which fell from £31 million to £13 million, profits rose 20 per cent, marginally faster than earnings, up from 18.4p to 22p per share.

The dividend is being raised 20.5 per cent to 7.35p per share, enabling Lord Sainsbury, the chairman, to claim a unique record among big companies of raising its dividend by 20 per cent or more in each of the 12 years since controls were lifted.

Sales at the main Sainsbury's and Savacentre chains rose 16.4 per cent to £7 billion, with about 7.4 per cent coming from an increase in selling space of 1 million sq ft. Operating profit margins widened from 7.04 per cent to 7.67 per cent. Sales volume has been good this year.

Profits of Homebase increased 21 per cent to £13.2 million on a 12 per cent rise in sales, but sales and profits of Shaw's, the American food chain, while up in dollars, fell in sterling.

Lord Sainsbury said the group is planning to increase selling space by 8 per cent this year by adding 20 big supermarkets, including the first in Scotland and North Wales, to its existing 82 of more than 30,000 sq ft, and more Homebase stores. Last year's capital spending of £780 million will rise about 10 per cent.

He said a third of the population was not served by a Sainsbury's store and the group saw scope for a further 160 stores in new locations or the replacement of many of its 116 smaller stores, of less than 20,000 sq ft. The group has enough new sites for three years. Much of the expansion will be in the North of England and Scotland, where the group is under-represented.

Tempos, page 27

UK selling more cars abroad

By KEVIN EASON, MOTORING CORRESPONDENT

BRITAIN'S motor industry cut its trade deficit with the rest of the world by 78 per cent in the first quarter this year, according to new figures from the Society of Motor Manufacturers and Traders.

Exports have started to slow from the spectacular progress made at the end of last year, but the society said growth in exports was still at 17 per cent, helping to cut the trade deficit

by £323 million to £1.16 billion in the first quarter of this year against the same period last year.

Britain's vehicle makers have looked to exports to offset the decline in the home market, with car sales down 22.17 per cent in the first four months this year. While imports fell 21 per cent to £2.95 billion, car exports rose 68 per cent to £4.15 billion, with the value

of shipments up 39 per cent to £962 million. That growth rate, however, is easing as signs of recession start to show in markets on the Continent. Exports of light commercial vehicles rose 78 per cent, but those of heavy commercial vehicles fell 20 per cent. Parts and accessories earnings grew 7 per cent to £1.13 billion.

Exports accelerate, page 27

RESILIENT PERFORMANCE IN A DIFFICULT YEAR

"This has been a difficult year for AIB Group but the bank has performed well in the face of the testing economic environments in two of its core markets."

Gerald B Scanlan
Group Chief Executive

Operating profit before bad debts of Stg£313.9m up 5%

Provisions for bad debts up 76%

Profit before tax Stg£160.0m down 25%

Earnings per share Stg13.6p

Final dividend of Stg3.8p giving Stg6.9p for the year

Allied Irish Banks, p.l.c.

If you would like to receive a copy of the group report and accounts, available from 14th June 1991, please write to Marketing Communications at AIB Bank, Bankcentre, Belmont Road, Uxbridge, Middlesex or telephone 0895 72222, extension 2605.

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Time Warner will lead the TVS refinancing if licence is retained

By MATTHEW BOND

TIME Warner, the American entertainment group, is to lead a financial reconstruction of TVS Entertainment, the struggling Southeast television company considered to be one of the most likely to lose its ITV franchise.

Home Box Office (HBO), a Time Warner subsidiary, is to inject up to £15 million into TVS, but only if the company is successful in retaining its franchise.

A further £15 million, also contingent on TVS keeping its franchise, will be injected by the Daily Mail and General Trust, publisher of the *Daily Mail*, and by Canal Plus and Compagnie Générale des Eaux, two French companies that already own a 20 per cent stake in TVS. Applications for the Channel 3 licences closed at midday yesterday.

The need for an injection follows TVS's three-year ownership of MTM entertainment, the American company it bought for £190 million.

TVS announced on Monday it had written down the value of MTM's library by £20.7 million, contributing to a pre-tax loss of £8.3 million. But the provisions have not

stopped there. Rudolph Agnew, the TVS chairman, confirmed that the board had decided to make full provision against its investment in MTM, a decision requiring a £140 million provision.

It was that provision, said Mr Agnew, that had wiped out the distributable reserves, leaving TVS unable to pay a final dividend.

Mr Agnew said that TVS's potential new shareholders greatly improved the quality of the application.

In the event of TVS retaining its franchise, 53.6 million shares will be issued to the new shareholders, diluting those shareholders not directly participating in the reconstruction from 80.6 to 44.8 per cent.

However, a clawback arrangement, covering one-fifth of the shares, could raise this to 54.1 per cent. The shares will be priced at 56p. TVS's shares fell 5p to 55p.

If shareholders do not participate in the clawback, the reconstruction will see HBO emerge with 21.6 per cent, Canal Plus and Compagnie Générale des Eaux 14.3 per cent each and Daily Mail

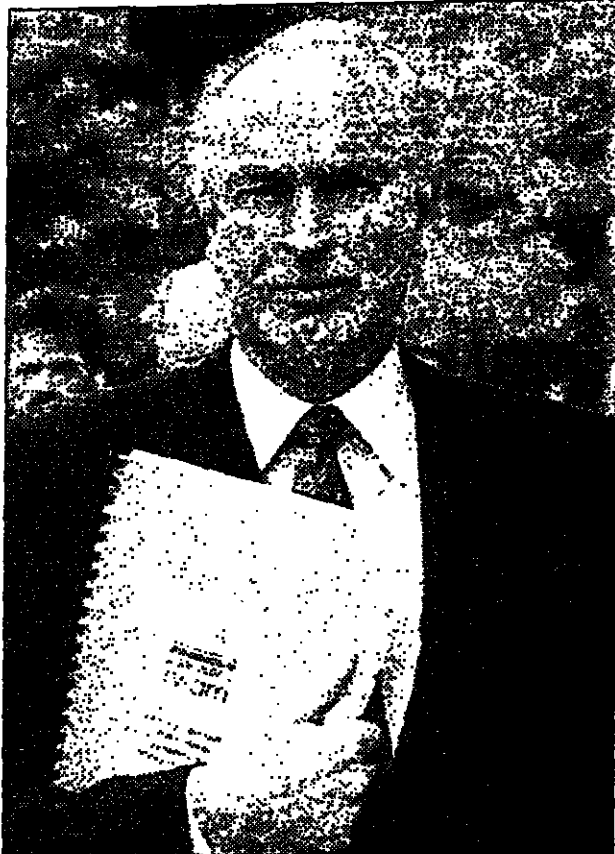
and General Trust 5 per cent. □ TV-am, the breakfast station defending itself against two strong challengers in the auction for Channel 3 franchises, yesterday met City expectations with a £2 million rise in pre-tax profits to £26 million for the year to end January (Melinda Wittstock writes).

Bruce Gyngell, the Australian chairman and managing director, announced the results as "conservatively reasonable but phenomenal when judged against other ITV companies" before personally delivering his bid to the Independent Television Commission yesterday morning.

TV-am, considered the most profitable television station in the world relative to turnover, managed to increase advertising revenue despite an unprecedented recession that has pushed many other ITV companies into the red.

Turnover is up 10.6 per cent to £89.4 million, while earnings per share have increased by 7.8 per cent to 24.9p. The final dividend is up 40 per cent to 10p, making 14p (10p).

Franchise lists, page 2



Blind faith: Bruce Gyngell delivers his bid yesterday

News Corp refinancing cost \$150m

By OUR CITY STAFF

THE refinancing of The News Corporation's US\$7.5 billion debt incurred a one-off cost of US\$150 million mainly in a 1 per cent fee to lenders and fees to the two co-managers.

Without abnormalities, operating profits at the Australian international media group that owns *The Times*, rose 16 per cent to Aus\$345 million in the three months to March on turnover 18 per cent up at Aus\$2.59 billion.

After higher interest, due to consolidation of HarperCollins book publishing, and higher tax, net profits in the seasonally lean quarter fell from Aus\$11.2 million to Aus\$5.9 million. The 1990 figures included foreign exchange gains and also Sky Television trading losses before the BSkyB merger.

In the first nine months, pre-tax profits are up 21 per cent to Aus\$280 million. American operating profits rose 45 per cent but the group suffered in Australia with losses from the half-owned Ansett Airways group.

In Britain, nine-month operating profits rose from Aus\$83 million to Aus\$107 million. The advertising slump affected newspapers, though results from *The Sun* and *News of the World* were only marginally down.

BUSINESS ROUNDUP

Bad debts hamper Allied Irish Banks

RECORD bad debt provisions of Ir£174.1 million (£158.3 million) have set pre-tax profits back by a quarter at Allied Irish Banks, one of the republic's two largest banking groups. Group pre-tax profits fell from Ir£237.3 million to Ir£178.8 million, despite an improved performance in Ireland and a Latin American debt write-back.

A final dividend of Ir£2.5p makes Ir£7.75p, up 7 per cent. The damage was done in the recession-hit economies of America and the United Kingdom, where the combined profit performance during the year to end March was Ir£100 million lower than in the previous year. The group slipped into losses for the first time in the UK, with a pre-tax deficit of Ir£11.7 million (Ir£41.2 million profit). The turnaround was almost as large in America but operations there managed to stay in profit at Ir£6.7 million (Ir£53.2 million).

Concentric slides to £2m

CONCENTRIC, the engineering and components group, has announced a 55 per cent slide in interim pre-tax profits from £4.45 million to £2.02 million for the half year-ended March 31. Turnover increased by 10 per cent to £61.16 million and the company announced a 5 per cent rise in interim dividend to 3.54p (3.37p) "against a background of slowly improving markets".

Devenish to outline plans

JA DEVENISH, under siege from a £127.7 million hostile bid by Boddington, is to publish a profit forecast and detail its plans for the loss-making brewery in Redruth, Cornwall, with interim results for the six months to the end of March. Denis Cassidy, chairman of Boddington, said: "This forecast will have as little credibility as the rest of the Devenish defence."

Sotheby's cuts payout

THE worldwide recession and the Gulf war combined with the already gloomy state of the art market to send Sotheby's Holdings, the fine art auctioneer, into a pre-tax loss of \$8.54 million in the first quarter to end March, against profits of \$9.94 million last time. The group has halved its quarterly dividend to 50 cents.

Michael Ainslie, the president and chief executive, said the second quarter results would be "significantly lower" than last year's record figures. Sotheby's has seen an improvement in the rate of sold property in the first quarter over the previous three months.

T&N to buy Agrotech

T&N, the motor components and engineering group, has agreed to buy Agrotech International of Middlewich, Cheshire, a small chemical processing company involved in the recovery and purification of chemical product streams. The undisclosed purchase price, which, T&N says, is not material in relation to its net assets, will be in cash, shares and loan notes.

Brent pays \$8m in US

BRENT Chemicals International is to acquire Chemical Ways Corporation of Chicago, a supplier of products to the metal industry. Brent will pay \$6.3 million on completion and make two further payments of \$850,000. CWC had sales of \$9.1 million and pre-tax profits of \$1.4 million, and net tangible assets of \$2.0 million for the year to end December.

Receiver called in

ARNCLIFFE Holdings, the Harrogate housebuilder and property developer, has been placed in receivership after the break down of refinancing talks with its bankers.

The shares were suspended at 83p last month, when the company announced that it was in negotiations about a proposed capital injection and board changes. In the half year to end April last year, the company saw pre-tax profits fall by 83 per cent to £148,000 after increased interest charges of £1.09 million.

Builder reports recovery in South

COUNTRYSIDE Properties, the housebuilder and developer, reported the first signs of recovery in the Southeast.

Countryside bounced back into profit after an £8 million loss for last year, but made interim profits to end-March of £3.06 million, almost £1 million lower.

Earnings per share were unchanged at 7.2p. The 1.41p dividend was unchanged.

Bridgend queries Cowan bid value

Bridgend Group, the industrial holding company, has queried the value of an agreed all-share bid for Cowan, de Grood, the toys and industrial hardware concern, by Wilton Group. Bridgend has tabled a 17p a share cash offer for Cowan, worth £4.3 million.

Bridgend's offer document contends that Wilton's 1990 balance sheet substantially overstates its asset value.

Fairway buys

Fairway (London), the stationery supplier, is buying most of the assets of the former educational supplies office of the now defunct Greater London Council and Inner London Education Authority for £2.3 million. The purchase is being funded by a 1-for-1 underwritten rights issue. Fairway is pledging an unchanged 3p dividend on the enlarged share capital.

Elliott falls

Pre-tax profits at B Elliott, the machine tool and engineering group, fell from £7.63 million to £6.52 million. The company, however, made only £215,000 in the year to end March after charging £6.5 million of exceptional and extraordinary restructuring costs. The final dividend rises 10 per cent to 3.4p, making 4.65p (4.35p).

Diploma drops

Pre-tax profits at Diploma, the electronics to building components group, fell £2.6 million to £6.3 million in the six months to end March. The dividend stays at 2.25p.

Green bill may cost ICI firm £290m

By ROSS TIEMAN INDUSTRIAL CORRESPONDENT

TIOXIDE, the paint pigment subsidiary of ICI, is to spend up to £290 million improving the environmental performance of its plants and increasing capacity.

Rob Margetis, the chairman, has described investments at Grimsby and Calais totalling £90 million to meet European Commission discharge standards that are to take effect in 1994. He indicated that two older plants, in Australia and Canada, will be replaced by two new facilities each costing £50 to £100 million.

The announcement ends uncertainty that has existed since last December, when Cookson Group, sold its half share in Tioxide to ICI for £160 million.

Cookson had given warning that capital spending on Tioxide plants in the first half of the decade could reach £700 million. Mr Margetis' figure has turned out closer to ICI's estimate of £200 million.

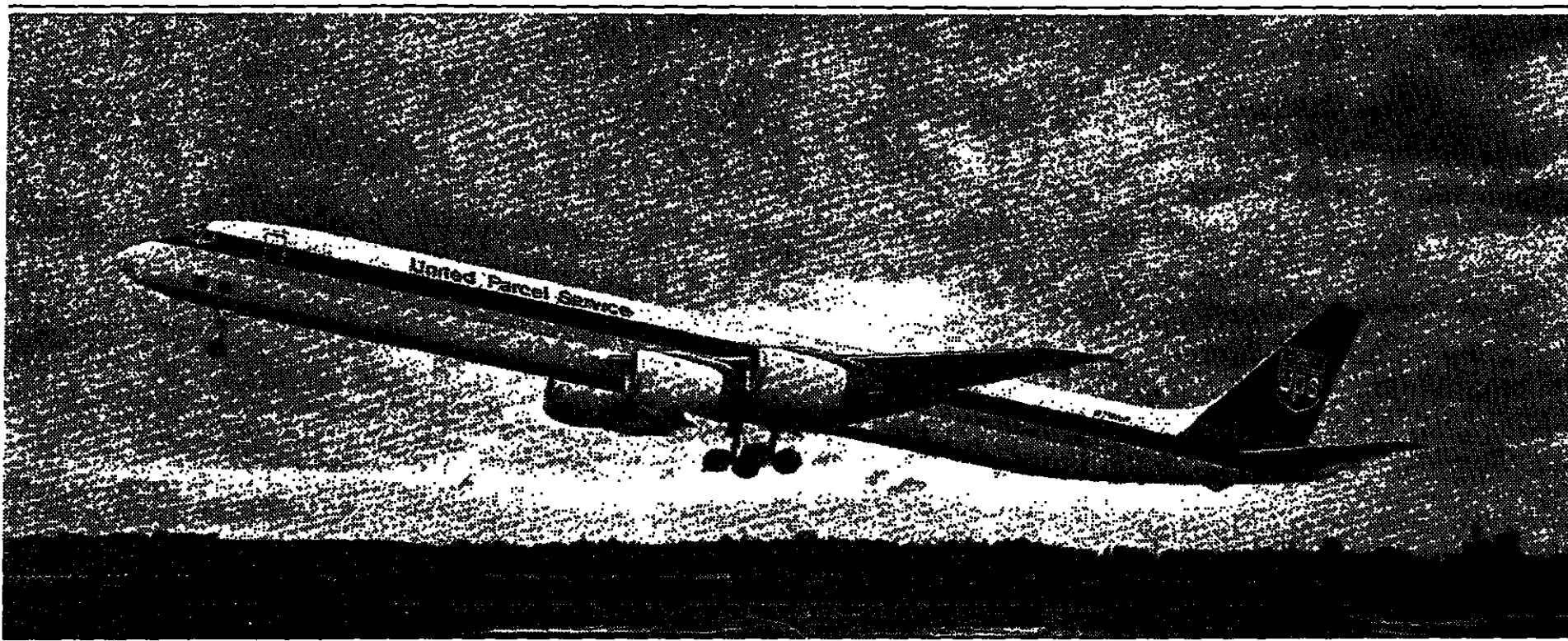
ICI has already approved the £90 million of environmental spending, but the purchase of a near three per cent stake in ICI by an unknown buyer this week may cast a shadow over plans.

Tioxide is the world's second largest manufacturer, after Du Pont of America, of titanium dioxide, a whitener used in paints and plastics. Tioxide had sales in 1989 of £700 million. In Europe, it is the market leader, with a 30 per cent share. But it has been slower than some of its competitors to reduce discharges from its plants.

The company plans to bring its European plants in line with the European Commission Titanium Dioxide Directive. The final phase involves its largest European plants at Grimsby and Calais.

At Grimsby, Tioxide will spend £27 million to cut the discharge of sulphuric acid and metal sulphates into the Humber. At Calais, Tioxide is to spend £63 million.

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Hanson raises ghosts of its past

COMMENT

Over the past two years the City has convinced itself that Lord Hanson was planning a spectacular exit from the business scene after creating one of Britain's largest and most successful companies. A takeover of ICI would be some swan song. For the moment Hanson would have us believe that he has merely discovered some truly exceptional bottom of the cycle value in ICI shares and that he is to hold them as an investment. Up to a point Lord Hanson.

There are more mundane factors which might explain the surprise stake-building. And taken to its logical conclusion, the argument suggests that a full bid for ICI is rather more likely than not.

Much is made of Hanson's cash war chest which probably today stands at about £7.5 billion. Though borrowings are not far short of this, that cash is an important source of profit for the group. And its earning power is fast diminishing as money markets track the fall in British base rates. It could be earning 12 per cent against say 7½ per cent

paid on American borrowings. As British rates decline, so do the earnings on this interest rate arbitrage. The thought is central to the bearish views on Hanson which are increasingly heard around the City these days.

Like most acquisitive companies, Hanson was almost certainly looking forward to some splendid buying opportunities this spring when shares might have been expected to be weak under the weight of a succession of dismal company announcements.

The strength of stock markets both here and in the US so far this year has surprised most opinion and no doubt dismayed predators. Lord White, Hanson's American supremo, almost admitted as much this week with his comment that share prices failed to reflect lower earnings now being reported. The fact that the expected gravy train failed to arrive on time is another source of pressure on Hanson to make a corporate move. The time is long

past when modest takeovers were able to keep Hanson's earnings bubbling along.

These days, the deals need to be scaled in billions, not millions, so large has the empire become. A tilt at ICI bumping along at the bottom of its industrial cycle might indeed meet Hanson's need quickly and at the same time solve a corporation tax difficulty. Whether or not a bid for such an important company as ICI would be allowed to proceed unhindered by the office of fair trading and the government is another matter.

It must be said that over the years Hanson has laid in store amply supplies of political goodwill from the Conservative party. But with an election in the offing, it would be remarkable if an opportunity to subject an ICI bid to the monopolies commis-

sion were missed. Hanson's style would be to seek disposals, ICT's highly rated pharmaceutical division is the obvious candidate, and to rationalise heavily some of ICT's lower yielding portfolio of businesses. But this course looks fraught with problems for the bidder. Hanson would certainly be visited by the ghosts of its past.

Long standing doubts such as the level of dependence on takeovers, forceful use of pricing policy in products where Hanson has a substantial market share, modest levels of research and development spending and a long standing aversion to high technology would all be aired and examined by the commission. For Hanson, there are dangerous obstacles blocking the way to ownership of ICI.

As with Hoylake and BAT, ICI

could prove to one takeover too far for Hanson.

Short sighted

David Nash, Grand Metropolitan's finance director, says he does not sleep at night unless his company's interest cover is above 5 times.

If nothing else yesterday's lacklustre interims from the food and drinks giant suggest that the bags under Mr Nash's eyes could be getting rather smaller.

Interest cover rose from 4 to 4.5 times in the six months to March, and should actually hit the slumber-inspiring 5 for the full year, thanks to the £615 million generated by the breweries for public houses swap with Fosters and received just three days before the half year end.

Shareholders, however, may not take quite such a relaxed view. For GrandMet's gearing

remain stubbornly high. Its £2.9 billion of borrowings, a legacy of the £3 billion takeover of Pillsbury two-and-a-half years ago, gives gearing of 88 per cent on a balance sheet already substantially boosted by brand valuations.

There seems to have been little wrong with the Pillsbury acquisition, which brought with such familiar names as Burger King and Green Giant.

Before currency movements kicked a £47 million dent into GrandMet's trading profits, North American food profits rose by an impressive 27.3 per cent.

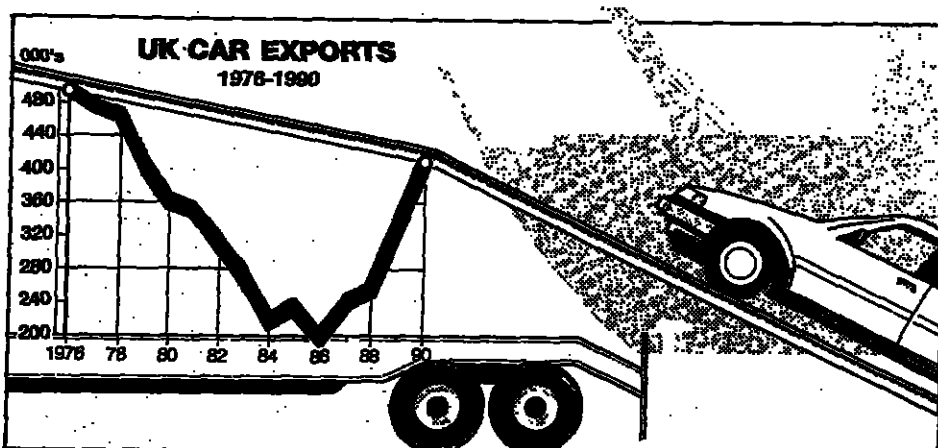
Nevertheless, there remains the clear impression that something has to go. There is no shortage of candidates. With the Pearle optical chain falling into loss in the first half, perhaps GrandMet might reconsider its strategic value.

There are other potential disposal candidates around. With the effects of the recession clearly affecting such leading components of GrandMet as Burger King, it could be time for Sir Allen Sheppard to take off his rose tinted spectacles.

Hesketh sounds the horn for accelerating UK car exports



Lord Hesketh: US mission



WELCOME relief from the economic gloom will be offered by the government today when Lord Hesketh has the chance to trumpet one of the unsung success stories of British industry.

The industry minister will be entertaining American investors on the Royal Yacht Britannia at Miami, Florida. He will deliver the message that British car makers have dispelled years of suspicion about their products and have the potential to make this year the best for exports since 1978. Only five years ago, exports of cars hit a low point at little over 200,000 a year as manufacturers in the United Kingdom suffered because of fears among foreign buyers that British cars were at best quirky and at worst plain unreliable.

The transformation in the industry since 1986 has been remarkable, however, with new markets found and old markets reopened to offset the deepening gloom about sales at home, down 22 per cent this year.

Production for export grew spectacularly in the first quarter of this year, 91.46 per cent ahead of the first three months of last year.

Few believe that rate of growth can be maintained with a depression looming in continental Europe, particularly in the lucrative German market.

The Society of Motor Manufacturers and Traders, currently working on year-end predictions, is, however, convinced that Britain can beat last year's total of 414,105 cars for export, a figure which was

already more than double the 1986 total of just 201,411. Should their conviction be founded, it could mean the best performance since the motor industry output of 466,382 cars for sale abroad 13 years ago.

Lord Hesketh will have the statistics to hand when he meets manufacturers, component makers and investors in America tonight.

He will also spell out the fact that exports of cars, components and commercial vehicles are now worth nearly £10 billion a year to Britain, helping bridge what was

that comes from Birmingham or Coventry works as well as the one that comes from Stuttgart or Tokyo.

Car industry executives, as well as customers, have been impressed by the scale of the recovery in Britain, which includes an increase in productivity of 7 per cent a year, with output of cars per man rising from 5.5 annually in 1979 to 12.5 in 1987.

Managers at Peugeot in France, for example, were so impressed with efficiency and quality at the Peugeot Talbot subsidiary at Ryton, Coventry, that they are importing the

£230 million this year to the balance of trade.

Rover, representing what is left of the former "Jaguar duck" British Leyland state-owned corporation, earned £1 billion from exports last year and sales abroad are up 33 per cent this year.

Its lucrative Land-Rover subsidiary is also booming in spite of the recession at home. Land-Rover had its worst year for exports in 1986, when sales abroad slumped to fewer than 20,000 as traditional markets in Africa and Asia collapsed or were captured by other manufacturers.

Last year, foreign sales were up to nearly 47,000 - 70 per cent of output. Lotus, the sports car maker, is also enjoying a revival after years of teetering on the edge of bankruptcy before being bought by General Motors.

From being one of the most sought-after models on the market, with exports of more than 2,000 in the late Sixties, exports were down to a mere 108 in 1981. This year, they are on course to be up to 2,400.

A spokesman for Society of Motor Manufacturers and Traders said: "It is true that British cars lost a lot of credibility at one point among foreign buyers. But the British car industry has spent a long time and a lot of money investing in improving models, improving efficiency and improving the quality of its cars. The results are coming through now."

KEVIN EASON
Motoring Correspondent

Sainsbury still maintains a blistering pace

TEMPUS

J SAINSBURY'S exciting race with Tesco to maintain top slot in supermarkets is continuing for both parties. For investors, both have demonstrated exceptional and continuing success based on merit and good management. The only question is whether they will eventually run out of road.

Sainsbury certainly kept up a blistering pace last year, considering that sales volumes were static at existing stores. The 16 per cent rise in British sales to £7.2 billion was split almost equally between extra space and higher prices. On the company's figures, market share increased to 12.6 per cent, keeping just ahead of Tesco, with a four-point gap to Argyl and Asda.

Net margins improved a further 0.6 points to 7.7 per cent. This was partly due to further improvements in efficiency but mainly from the change in mix from smaller to larger stores. This process is the key to future growth, since both the Homebase hardware chain and Shaw's in America are both relatively small and growing more slowly.

Costs are lower in the big new stores and, less obviously, sales per square foot are higher. Gains in market share are also coming principally from rivals with smaller stores, now that the independent trade has stabilised.

Hence the determined drive

to open big new stores for the foreseeable future, despite the well-argued case, made by Jeremy Alun-Jones of Salomon Brothers, that the market cannot grow fast enough to accommodate the big boys' expansion plans.

Sainsbury plans to keep expanding selling space by 8 per cent a year. This added a million square feet in 1990-1. Capital spending of £780 million is due to rise 10 per cent this year, though this should not strain finances.

The danger is not that saturation point will suddenly be reached, since the group is constantly introducing new products and going into new markets, but that weaker competitors may have to start a price war. Even if this happened, Sainsbury starts with a price advantage.

Meanwhile, trade is good, having improved slightly in the slump-hit second half. Any slowing of nominal growth should only reflect inflation.

The shares, at 385p, yield 2.6 per cent and sell at 17.5 times 1991 earnings, which is not an excessive rating and looks better value, for instance, than Marks and Spencer.

Ultramar

AFTER a disappointing first quarter in 1990, Ultramar rediscovered its form in the first three months of the current year. Whether it has done enough to justify its premium rating is another matter.

Net income fell from £18.2 million to £2.3 million but was still slightly higher than expected. However, replacement cost profits of £30.8 million, up from only £6.3 million, left all forecasts in its tracks. Even Nomura's Alan Marshall, one of the stock's bears, felt inclined to lift his forecast for the full year to £3.4 million to £91 million.

Upstream operations performed much as expected, increasing their contribution

from £16.1 million to £21.5 million after a 9 per cent increase in production to a record 120,800 barrels of oil-equivalent per day and strong demand for liquefied natural gas in the Far East.

Downstream, the company demonstrated a quick response to difficult conditions. Eastern Canada, which earned £20.5 million last time, lost £1.9 million, but a greater deficit seemed likely given the sharp downturn in demand because of the recession, mild weather and weak margins caused by the dumping of cheap American imports.

The Wilmington refinery on America's West Coast maintained throughput broadly in line with last year's levels but margins were weak and the operation lost £1.5 million, compared with earnings of £1 million. Refinery margins have recovered but retail margins are affected by price wars throughout California. This bodes ill as the peak motoring season gets under way.

Until economic growth moves up a gear or two in North America, Ultramar's upstream interests will dictate the company's performance. At 310p, the shares already trade on a multiple of 12.5 times prospective earnings of 24.8p a share this year, well ahead of the sector, despite a yield of less than 5 per cent. Even after recent falls, they are not cheap.

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TAKE A SHORT CUT

THE TIMES CITY DIARY

To the diary editor, a girl

ALL the best journalists hit their deadlines if only with seconds to spare. In an uncharacteristic lapse, Carol Leonard, editor of the City Diary and Business Profile columnist, yesterday gave birth to a daughter - almost three days late. Jessica was born at St Thomas's Hospital, London, at 1.36 pm, weighing 7 lb 12 oz. Mother and baby are doing well. Carol and her husband, Andrew Hull, have spent the past few weeks in Wales and they return there this weekend. More good news is that Robert Ballantyne, Deputy Business Editor, is now the proud father of an 8 lb 2 oz baby boy, Alastair James. His wife Aileen, medical correspondent for *The Sunday Times*, gave birth on Tuesday evening at the Portland Hospital, London.

Catch-£25

THE tiny Scarborough Building Society is giving away £290,000 to its borrowers -

with one small snag. The catch is a clause in the finance bill through which the government is trying to avoid repaying £400 million in extra tax paid by British building societies. Peter Turley, the Scarborough chief executive, has promised a £25 handout to each of his 12,000 borrowers, if he succeeds in having the bill changed. Mike Blackburn, chief executive of the Leeds Permanent, is also putting on the pressure, and politicians - including Sir William Clark,

chairman of the Conservative finance committee - have rallied round. A decision is due this year.

Team work

WHERE have all the City's corporate financiers been going? Chances are they have ended up at Societe Generale Merchant Bank. The latest recruits include Hilary Duckworth from Robert Fleming and Stephen Harris from James Capel, and the bank now hopes to poach a senior corporate financier to help run the team. "We are looking to get SCMB on the map," says Adam Webb, the team head.

Not now mother

A PARTY of retail analysts on a trip to America this month were given a challenge. They had to dream up a witty caption for a photograph, published in *The Times* on April 24, which showed two Laura Ashley directors - Mike Smith, the chief executive and Andrew Higginson, the finance director - posing with two models in a City street. In the winning entry, an elderly

women in the background is seen to mutter: "I've told you not to mix with those types!" - to which Higginson replies: "Not now mother!" Paul Backhouse, of Paribas, was a magnanimous of champagne.

Bread and soup

HILL Sammel, which has made Richard Heley head of corporate finance, replacing Bay Green who has gone to Kleinwort Benson, may have started a trend when it asked staff to skip a meal this month. Today, the Darlington office of KPMG Peat Marwick McLintock is asking its employees to miss lunch - all to help the Princess Royal's drive to raise money for the Save the Children Fund. But they will not go hungry. The firm, which last week announced 220 redundancies - possibly the largest single lay-off by a British accountancy firm - is offering the hapless workers bread and soup instead. And it will cost them £1.50 each.

JON ASHWORTH



Profits leap 36% at Baris

PRE-TAX profits at Baris Holdings, the fire protection and dry lining company, rose by 36 per cent to £2.23 million (£1.64 million), in the year to end February.

Turnover increased by 75 per cent to £19.4 million and the year end order book was £14 million, a 45 per cent increase. The level of enquiries was up by 32 per cent at £52.7 million.

Earnings per share rose by 24 per cent to 20.2p, while a final 4.6p dividend makes 6.6p (3.75p) for the year.

Sintrom slips

Sintrom, the troubled computer networks and peripherals supplier, has passed its final dividend after sliding to a £274,000 pre-tax loss in the year to end December, including a £143,000 exceptional deficit. The loss compares with pre-tax profits of £1.04 million last year, when a total payment of 2.64p was made to shareholders.

No referral

The trade and industry secretary has decided not to refer the £128 million hostile bid from Southern Property Holdings for Frogmore Estates to the monopolies commission, in accordance with the recommendation from the director general of fair trading.

Gulf conflict led to £169m loss in revenue

Lufthansa's wings clipped

LUFTHANSA, Germany's state-controlled airline, said the Gulf war led to first-quarter revenue losses of more than DM500 million (£169 million).

The airline, in its 1990 annual report, said demand had improved considerably since March, but remained below target. Previous year figures were matched last month in several regions.

"The lost demand due to the Gulf conflict means a burden for Lufthansa in the 1991 financial year unlike any in one year since the second world war," the company said.

Lufthansa, where Juergen Weber, deputy chairman, will succeed Heinz Ruhnau as chairman on September 1, said the latest forecasts show the Gulf conflict would have no lasting negative effect on civil aviation. Original sales expectations would again be achieved from this month.

The company said cost-cutting measures taken in the first quarter produced savings of DM190 million, so the total impact of the Gulf war was about DM390 million.

In view of the more positive outlook for the rest of the year, Lufthansa said it will continue with its 1991 DM3 billion investment programme.

Lufthansa said financing of



Side by side: Heinz Ruhnau (left), the chairman, with Juergen Weber yesterday

this year's investment was secured by the successful placement of a DM1 billion variable rate loan in January and the leasing financing of five Boeing 747-400 aircraft.

Lufthansa said that last year's group net profit plunged to DM15.16 million from DM109.75 million in 1989. Lufthansa had 1990 group

investments of nearly DM3.7 billion, the majority of which was devoted to fleet expansion and renewal. The company said it earned DM256 million from the sale of older aircraft.

Lufthansa will not pay a dividend on ordinary shares and plans to pay only the guaranteed dividend of DM2.50 on preferred shares.

In 1989, a DM4 dividend was paid on the ordinary and preferred shares. Cashflow fell by DM162 million last year to DM1.3 billion.

Reviewing operations in 1990, Lufthansa said passenger traffic on scheduled and charter operations totalled 26.6 million after 23.4 million in 1989. (Reuters)

Joint ventures in steel face EC enquiries

By PHILIP BASSETT, INDUSTRIAL EDITOR

FRESH inquiries into joint production ventures in the steel industry are to be held by the European Commission, although some full mergers will no longer need prior authorisation from Brussels.

The changes in European steel industry policy were signalled last night by Sir Leon Brittan, vice-president of the commission, in a speech making it clear that special treatment for the steel industry is no longer justified.

Speaking in London to the Institute of Metals, Sir Leon said that while there had been a strong case for an early end to the European Coal and Steel Community Treaty — the precursor of the commission that still governs the operation of the steel and coal industries in Europe — it had been decided to let it die naturally next year. However, before that, the aim was to bring practices in the industries as far as possible into line with the commission's normal competition policies.

Arguing in favour of competition in steel, Sir Leon rejected the idea that short-term safety might seem more attractive than the risks and rewards of competition. British steel producers in particular, because of their low production costs — the lowest in Europe and perhaps the world — had much to lose from any arrangements restricting production or market access.

Turning to the increasing number of joint ventures in the steel industry, Sir Leon said the commission had not sufficiently differentiated between ventures in which partners pooled their activities and then retired from the market individually, and those in which they did so and remained in the market.

The commission, he said, would examine the economic effects of joint ventures on all the parent companies' activities, with both the co-operative and concentrative effects of joint ventures being investigated. He said this new step could be taken without fresh legislation.

Sir Leon eased the pressure on steel producers, however, by announcing that the commission would soon be issuing a new merger threshold level for full mergers. This would allow more steel and coal mergers and acquisitions to proceed without pre-authorization from the commission.

The commission this year launched a cartel investigation into steel beams after two previous inquiries into the industry. However, Sir Leon said he had "not the slightest intention to single out the steel industry for particular attention", and welcomed the statements of industry leaders opposing cartels.

He added that the present state aid code under which member governments assist steel industries, and which is due to expire at the end of the year, will be replaced with another running for five years. He gave warning, however, that state aid can severely distort competition.

Sanderson to leave Egerton

By OUR CITY STAFF

SHARES in Egerton Trust slumped from 15p to 8p after the housebuilder and property developer said that it was negotiating a large refinancing package with bankers, including a cash injection, and announced the departure of Frank Sanderson, the chairman and chief executive.

The company also repeated a warning that last year's results would show substantial losses and include significant provisions against falling asset values.

Mr Sanderson, a former chairman of Bovis, becomes non-executive chairman until next month when he will leave the board upon reaching the normal retirement age of 65.

His son, Nick Sanderson, currently the managing director, is appointed the chief executive. A non-executive chairman will be named when the refinancing terms are announced.

Richard Beale, the director responsible for southern housing operations, has resigned from the board, although the company said his departure was not connected with the refinancing.

The company's problems stem from the depressed housing market, which affected its ability to pay heavy borrowings.

Richards falls 71% but keeps payout at 1.07p

By OUR CITY STAFF

RICHARDS, the Aberdeen yarn and carpets group, reports a sharp drop in interim profits, as it forecast in March. Pre-tax profits for the six months to end March fell 71 per cent to £495,000. Turnover was little changed at £38 million.

The "severe downturn" in the United Kingdom carpet market in the first quarter of the year was the principal cause of the profits fall.

The adverse trading environment is likely to continue until the autumn, the company said. The balance sheet remained strong. The interim dividend is held at 1.07p.

ACT agreed bid gives Quotient value of £27.4m

By MARTIN BARROW

ACT Group, the software company, is dipping into its £27 million cash reserves to fund an agreed bid for Quotient, which supplies specialist software for the financial sector.

The cash-and-shares offer is worth 200p a share, valuing Quotient at £27.4 million, with a cash-only alternative of 190p.

Quotient shares, which rose sharply on confirmation of a takeover bid approach last week, advanced a further 63p to 181p. ACT shares fell by 4p to 101p.

ACT already owns 13.1 per cent of Quotient and has received irrevocable acceptances from shareholders speaking for a further 28.1 per cent, giving it 41.2 per cent of the company.

Tim Simon, the chairman and chief executive of Quotient, will leave after the merger.

ACT also announced financial results for the year to the end of March showing pre-tax profits up from £8.03 million to £12.71 million, with earnings of 9.5p a share, against 7.07p.

Interest earned on cash deposits was £3 million. A final dividend of 2.5p share

lifts the total from 2.25p to 3.75p for the year.

At the interim stage, the company announced the payment of a special dividend of 5p, distributing to shareholders part of the proceeds of the £39 million sale of Apricot Computers to Mitsubishi Electric.

That disposal yielded an extraordinary profit of £12 million after provisions of £2 million against additional costs incurred by ACT Computer Support after the sale of Apricot Computers.

Quotient, formerly known as CCF, was severely affected by a downturn in business from the financial sector in the aftermath of the world-wide stock market crash in October 1987.

The company lost £1.89 million before tax in 1989 but achieved profits of £1.02 million last year after a substantial restructuring. Last December it won a £5 million order to develop an advanced securities trading system with Fujitsu of Japan.

The enlarged company will have a £15 million net cash position and will consider further acquisitions, particularly related to the healthcare sector.

BTR shares slip after subsidiary issues warning

By OUR CITY STAFF

SHARES in BTR, the industrial conglomerate, slipped 5p to 384p after BTR Nylax, its 62.5 per cent-owned Australian subsidiary, gave a warning of harsh conditions.

Alan Jackson, chairman of BTR Nylax as well as chief executive of BTR, told shareholders in Melbourne that the deterioration in the first six months of 1990 had continued into the current year.

Mr Jackson said: "The unsatisfactory trading levels we experienced in our automotive, building products, commercial interiors and consumer products during the second half of last year have continued to deteriorate in the current period in most areas."

As a consequence, results for the first four months of this year fell "measurably short" of comparable figures for last year and steps were being taken to rationalise and re-shape operations to reflect current prospects.

He said: "At this time, we see no evidence to suggest that recovery in our markets is underway. However, we are confident that BTR Nylax will materially gain from the recovery as and when it occurs."

Last year, BTR Nylax reported net profits down from A\$521 million to A\$489 million (£221 million) after an abnormal loss of A\$35.3 million due to rationalisation and redundancy costs.

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Mrs B. Kearney
Crowley Colosso Ltd
Box House, Minories
London EC3N 1JJ

MANAGEMENT ACCT

c £27,000 + Car

City based firm, prominent in Financial Analysis have an opportunity with a view to long-term development. Aged 25-35 ideally CMA/ACCA qtd with experience of Audits. You will have the potential to implement and develop financial and commercial management systems. Other key responsibilities include production of monthly management accounts, rolling forecasts/budget creation and presentation of business cases and ensuring internal controls. Sound knowledge of Lotus essential. Contact Ian Burns. Tel: 071 256 6666. Fax: 071 256 7273.

Love + Tate Appointments

FRANCE

We have vacancies with a number of Continental Finance, Service and Manufacturing groups for qualified Chartered and Management Accountants.

If you are aged 23-30, speak French (or Spanish) and would like to work on the Continent for at least two years, telephone:

Paula MacLachlan at ASA International, Recruitment Consultants - 071 353 1244

Company Secretary / Accountant

(part time)

To assist chairman of small Industrial Property Plc. Well Educated, mature. Bromley Area.

Please Reply to Box No 3725

PART-TIME ACCOUNTANT/BOOK-KEEPER

Francis/Accounting Background Preferred

Urgent in Acc/PA/Letters/Spreadsheet

General Book-keeping, payroll etc.

Max. 20 hours per week

Competitive Salary

Please Contact:

Mr Steven Whitham

NORMAN ENGINEERING SERVICES (UK) LTD

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Tel: 071-883 4855

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Young qualified & part

qualified accountants

find out about our

vacancies nationwide.

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KT7 0RN.

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COMPANY ACCOUNTANT

Excellent salary + car + bonus

opportunity. We are a small

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located in S.E. London (T/D

40). We seek a young, self-

motivated ACCA/ICAEW to take

TOTAL control of financial and

management information

functions. Reporting to

Managing Director, you will

through hands on involvement

be expected to contribute

significantly to our future

success.

For more information and

application form, call

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021 236 1637

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£25,000

Read our ad on p.271 for

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Executive in Spain. We are

looking for a young, energetic

individual to work in Malaga

and coordinate the

promotion of a Spanish

firm in the UK.

For more details

call 071 883 4855

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aged 23-45 required by leading

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ACCOUNTANCY & FINANCE

Fax Numbers:
071-481 9313
071-782 7828

RE-ADVERTISEMENT BASILDON AND THURROCK HEALTH AUTHORITY DEPUTY DIRECTOR OF FINANCE £27,000pa + Performance Related Pay and Lease Car

We require a high calibre, qualified accountant to lead the provision of financial management and advice to the Health Authority.

The post is responsible to the Director of Finance.

The successful candidate will oversee the development and implementation of financial strategies which support the Health Authority's major objective of ensuring high quality healthcare for the local residents.

Key tasks include input to negotiation of service agreements with service providers and the evaluation of service development policies to ensure that value for money is obtained.

It is also essential to identify the financial and other information needs of the organisation in its developing role, and to prepare and implement a strategy which meets those needs.

This is an excellent opportunity to work as part of a multi-disciplinary team and contribute fully to the changes currently occurring within the Health Service.

Informal enquiries would be welcomed by: Mr Alan Whittle, Director of Finance, on 0268 533911 ext 3200.

Application form/job description available from: Personnel Department, Level H, Basildon Hospital, Nethermayne, Basildon, Essex SS16 6NL. Tel 0268 533911 ext 3381/2.

Closing date: May 23, 1991. Interviews to be held on June 6, 1991.

AN EQUAL OPPORTUNITIES EMPLOYER.

THE SECURITIES AND FUTURES AUTHORITY

RESEARCHER

Qualifications Department

City

up to £16,500

The Qualifications Department is responsible for setting and conducting a variety of examinations for the Securities and Futures industry at a time when increasing emphasis is being placed on training and qualifications.

Due to internal promotion we need a Researcher with a real interest in the City and a high degree of mental agility to help ensure that our syllabuses remain up to date. Responsibilities will include selecting and processing information from the Press, publications and expert sources. You will also assist with question writing and vetting and help to develop new syllabuses.

This is an ideal entry into the City for someone with two years' experience in the financial services sector who has ideally passed a Stock Exchange or SFA examination and may have had some exposure to derivatives. Probably a graduate, you will enjoy working on your own initiative and gaining detailed technical knowledge which could open up a wide variety of career paths within the Securities and Futures industry. We are a small, committed team and you will be given every opportunity to enlarge your responsibilities in a positive, challenging environment.

Salary will be up to £16,500, dependent on experience. Benefits include free travel, PPP and non-contributory pension scheme.

Please apply with full curriculum vitae to:
Veronica Sherry
Personnel Department
The Securities and Futures Authority Ltd
The Stock Exchange Building
Old Broad Street
London EC2N 1EQ

CHIEF ACCOUNTANT WEST END OF LONDON £28,000 + Benefits

Following continued expansion and internal promotion, this demanding role has arisen in a Blue Chip PLC. Responsible for all financial management accounts, systems review/development and staff management, the successful candidate will report direct to the Board. Ideally mid to late 20s with two years PCE. Determination to succeed in an aggressive commercial environment. Excellent benefits to include NCPs, BUPA, 5 weeks holiday. Ref: C800. 14 Great Castle Street, Oxford Circus, W1N 7AD. Tel: 071-580 9186.

ENGINEERING INDUSTRY £18-£22,000

Opportunities for 2 senior part-qualified accountants in a variety of departments within highly successful Multi-National Company. Your career would be given ample freedom to develop in the fields of Retail, Marketing, Treasury and Tax, in a highly computerised environment and with quality staff at all levels. Currently studying, min level 8 ACCA or CIMA. Ideally with experience from a large PLC or Multi-National background. Full study package, full company benefits, Unrivalled Prospects. Ref: PM/10. Equity House, 42 Central Square, Wembley HA9 7AL. Tel: 081 900 2223

ACCOUNTANT/COMPLIANCE £25,000

Our client, a leading financial services consultancy, is currently recruiting for a Senior Accountant. With high involvement in all accountancy and compliance related matters, the successful applicant will not necessarily possess a formal accountancy qualification, but will have a futures/options background with extensive experience of compliance, and the ability to work in a hectic, highly motivated and extremely successful team. An outstanding opportunity offering excellent rewards. 36/44 Moorgate, EC2R 6EL. Tel: 071-588 3655.

GROUP ACCOUNTANT £22,000

An established group of companies with diverse interests have an opportunity for a career minded part qualified accountant to further develop their systems experience. The role also provides a good mix of financial/management accounts, tax, staff responsibility and business planning. Moreover it offers a challenge with a great deal of autonomy and excellent prospects. The package will include car, NCPs, performance bonus, study benefits and will reflect your experience and contribution potential. Ref: JH/707. 18 St Thomas Road, Brentwood CM14 4DS. Tel: 0277 261011.

Accountancy Personnel

ASSISTANT FINANCIAL ANALYST Part Qualified ACCA/CIMA

London £23,000

This major retail PLC, which continues to maintain good profit levels, relies on the corporate planning department to determine future business plans and strategy. They now seek an ambitious young accountant to join this key business unit.

Working closely with a team of qualified accountants, you will assist in the following areas: business planning, sales analysis, profitability reviews and commercial summaries. You will be expected to respond quickly to the demands of Senior Executives; thus developing your reporting and analytical abilities. Promotion is envisaged in approximately 6-9 months.

Applicants should be aged 23-25, part qualified ACCA/CIMA (ideally working towards final examinations in November/December 1991) with an impressive academic and employment history. The company offers tremendous opportunity for career advancement, and a benefits package including four weeks study leave, all course fees, bonus and company car upon promotion.

Interested applicants should contact us on 071-721 7283 or, during the evenings and weekends on 081-506 7107. Alternatively send or fax your CV to:

ALDERWICK MELINTOCK

SEARCH & SELECTION
SUITE 303, BLACKFRIARS FOUNDRY
156 BLACKFRIARS ROAD, LONDON SE1 8EN
TELEPHONE: 071-721 7283 FACSIMILE: 071-721 7288

Unique Opportunity - Commercial Executive In Insurance

Fluent English/Arabic Speaker

London (City)

We are one of the world's leading insurance and reinsurance brokers with a substantial interest in Arab countries.

We are seeking to recruit a graduate probably aged 26-33 who will be based in our London Office and report directly to the Chief Executive of our International Production and Marketing Division. Previous business experience is desirable although not necessarily gained within an insurance environment.

The successful applicant will be required to travel extensively. All candidates will be given written and verbal tests of fluency in English and Arabic.

The benefits package and long term career prospects are excellent.

Please apply in writing enclosing a full c.v. including current salary to our consultant: R.D. Adams, Hoggett Bowers plc, Brunswick House, 61-69 Newmarket Road, CAMBRIDGE, CB5 8EG. 0223-324441. Fax: 0223-323250. Ref: 234/T.

Hoggett Bowers

BIRMINGHAM, BRISTOL, CAMBRIDGE, EDINBURGH, LEEDS, LEICESTER, LONDON, MANCHESTER, NEWCASTLE, WINDSOR and EUROPE

EMBL

The European Molecular Biology Laboratory
invites applications for the post of

Head of Finance

The EMBL is an international research organization with a present staff of 800 persons working at the main laboratory in Heidelberg, Germany and in the outstations in Hamburg and Grenoble/France. It is supported by 15 Member States.

The Head of Finance is directly responsible to the Administrative Director and interacts very closely in financial matters with the national administrations of our Member States.

Within his wide range of duties and responsibilities, such as management of funds, supervision and coordination of the fully computerized budget, bookkeeping, purchase, invoice-control and inventory sections, he also deals with private firms and outside organizations, including EC organizations.

Naturally, in an organization such as EMBL, the Head of Finance has to support the scientists in the financial, budgetary and administrative aspects of their activities. The Head of Finance has to prepare and present the annual budgets to the Council of EMBL, and is therefore in permanent contact with the representatives of our Member States in the Council.

Candidates should preferably have completed a university training in business, economics or law and must have managerial experience of research centres or laboratories. Experience with international organizations would also be a useful asset. Applicants must be absolutely fluent in one of the three languages English, French or German, and have a good working knowledge of the other two, bearing in mind that English is the common working language within the EMBL but the Administration is operating in a German-speaking environment.

The net salary offered will be generous, and various allowances are payable in addition.

The person appointed should take up his/her duties in Heidelberg in January 1992. Closing date for applications is May 1991.

Please write briefly to the Pers. Section for an application form and further information, quoting ref. no. 91/20.

EMBL Personnel Section, Postfach 10.2209
D-6900 Heidelberg Federal Republic of Germany

FILM TRUSTEES MANAGEMENT ACCOUNTANT

Excellent opportunity for a qualified or part qualified management accountant to join a small team in an expanding film finance and distribution company in Soho. The successful candidate will be responsible for reporting on and monitoring development and production costs and distribution receipts. An initial requirement will be to assist in the development of computerised systems for these tasks.

Salary is negotiable and will be commensurate with experience and qualifications.

Written application only, with C.V. to:-

Mr Peter Glenwood
Film Trustees Ltd
Swan House
52/53 Poland Street
London W1V 3DF

NO AGENCIES

BUSINESS ANALYST

Recently Qualified Accountant
London £28,000 + car

This major retail PLC successfully combines the exclusive and own-brand with mainstream and classic fashion. After a successful decade and healthy profits in the last financial year, the emphasis for the 90's is on improving market share and profitability whilst focusing on international competition.

At the heart of its strategic development is the Corporate Planning team, which is now seeking to recruit a young Business Analyst. Reporting to the main Board, the team is responsible for strategic planning, sales analysis, profitability reviews and regular commercial summaries. Project-based, involving considerable contact with Senior Executives in finance, marketing and sales, the role demands exceptional personal and commercial ability.

Applicants, aged 24-28, must be qualified Accountants, ACCA, ACCA or CIMA, with an impressive academic and employment history plus excellent communication skills. The company offers tremendous opportunity for career advancement together with a generous benefits package.

Interested applicants should contact us on 071 721 7283 or, during the evenings and weekends on 071 231 8272. Alternatively send or fax your CV to:

ALDERWICK MELINTOCK

SEARCH & SELECTION
SUITE 303, BLACKFRIARS FOUNDRY
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Group Finance Director

(c. £42,000 plus car)

Notting Hill Housing Group is one of the most successful housing associations in the country. We manage over 10,000 homes and commercial properties, have our own chain of professionally managed charity shops and are involved in a variety of other exciting initiatives. Our success is the result of finding innovative solutions to housing problems.

You will work to the Group Chief Executive and in directing our financial activities you will have contact with government agencies, local authorities, and financial institutions. You will make a significant contribution to the future direction, development and financial effectiveness of the Group.

Responsible for a revenue budget of £30 million, your enthusiasm and mature leadership will enable your professional team to run efficiently our finances and diverse loan portfolios through a sophisticated IT system.

A qualified accountant with a successful record in management, you will share our commitment to helping homeless people.

For an informal discussion, please ring Donald Hoodless, Group Chief Executive, on 081-741 1570 ext 220. For our information pack and an application form please telephone our 24 hr ansaphone service on 081-741 2273.

Notting Hill Housing Group is an equal opportunities employer

Accountant

Part-time computer literate, mature qualified/part qualified accountant wanted to supervise head office accounts team for 9 branch bookkeeping chain. Hours/salary negotiable.

Reply with c.v. to: James Henneage Ottaker's plc., Amra House, 53 Oldridge Road, London SW12 8PJ.

THE TIMES ACCOUNTANCY AND FINANCE
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Everyone needs a hedge against REDUNDANCY, RECESSION AND RETIREMENT

We might have the answer. This is an exceptional business opportunity with an established track record in the U.S.A. and U.K. Currently expanding into Germany. Part time and full time openings available. Substantial income and capital potential.

Telephone David Hardy at Heart Marketing

0233 720828

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The prices in this section refer to Tuesday's trading

MONEY MARKETS

Exchange index compared with 1985 was up at 91.9 (day's range 91.8-91.9).

Exchange index compared with 1985 was up at 91.9 (day's range 91.8-91.9).

STERLING SPOT AND FORWARD RATES

Mid Rates for May 15	Range	Close	1 month	3 month
New York	1.7400-1.7475	1.7485-0.0175	2.41-0.25p	
London	2.0245-2.0122	2.0085-0.0122	0.50-0.45p	
Brussels	90.50-90.55	90.50-90.80	17-12p	41-25p
Frankfurt	11.2754-11.2558	11.2589-11.2528	25-14p	57-41p
Paris	1.1872-1.1852	1.1872-1.1852	17-11p	
Madrid	2.5572-2.5588	2.5542-2.5575	5-1p	15-10p
Amsterdam	257.25-258.25	257.25-258.25	20-25p	
Stockholm	102.51-101.50	102.51-101.50	41-35p	
Oslo	21.975-21.985	21.982-21.982	30-24p	30-24p
Copenhagen	11.6119-11.6119	11.6119-11.6119	41-35p	
Geneva	11.007-11.017	11.007-11.0084	24-24p	58-58p
Basel	10.0018-10.0585	10.0582-10.0583	5p-10p	11-14p
Zurich	240.74-241.15	240.84-241.25	5p-10p	11-14p
Vienna	20.74-20.84	20.75-20.78	13X-11Xp	
Stockholm	2.4949-2.5015	2.4988-2.5015	5p-10p	25-18p
Source: Reuters			Frankster = p. Discount = ds.	

MONEY RATES (%)

Base Rates: Clearing Banks 12. Finance Rate 12% Week End: 12

Discount Market Loans: Overnight Night: 12% 11% 11% 11% 11% 11%

Treasury Bills (90day): 2 month 11 1/2% 3 month 11 1/2% 6 month 11 1/2% 9 month 10 1/2%

Prime Bank Rate (Bills):	11 1/2%-11 1/2%	11 1/2%-11 1/2%	11 1/2%-11 1/2%	10 1/2%-10 1/2%	12 1/2%
Starting Money Rates:	12 1/2%-11 1/2% <td>11 1/2%-11 1/2%<td>11 1/2%-11 1/2%<td>11 1/2%-11 1/2%<td>11 1/2%-11 1/2%</td></td></td></td>	11 1/2%-11 1/2% <td>11 1/2%-11 1/2%<td>11 1/2%-11 1/2%<td>11 1/2%-11 1/2%</td></td></td>	11 1/2%-11 1/2% <td>11 1/2%-11 1/2%<td>11 1/2%-11 1/2%</td></td>	11 1/2%-11 1/2% <td>11 1/2%-11 1/2%</td>	11 1/2%-11 1/2%
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Overnight open 12%, close 12 1/2%					
Local Authority Rates:	11 1/2%	n/a	11 1/2%	11 1/2%	11 1/2%
Starting Cds:	12 1/2%-11 1/2%	11 1/2%-11 1/2%	11 1/2%-11 1/2%	11 1/2%-11 1/2%	11 1/2%-11 1/2%
Building Society Cds:	12 1/2%-11 1/2%	11 1/2%-11 1/2%	11 1/2%-11 1/2%	11 1/2%-11 1/2%	11 1/2%-11 1/2%

EUROPEAN MONEY DEPOSITS (%)

7 day	1 mth	3 mth	6 mth	Call
Dollars:	5 1/2%-5 1/2%	5 1/2%-5 1/2%	5 1/2%-5 1/2%	5 1/2%
Swiss Francs:	5 1/2%-5 1/2%	5 1/2%-5 1/2%	5 1/2%-5 1/2%	5 1/2%
British Francs:	5 1/2%-5 1/2%	5 1/2%-5 1/2%	5 1/2%-5 1/2%	5 1/2%
Italian Francs:	5 1/2%-5 1/2%	5 1/2%-5 1/2%	5 1/2%-5 1/2%	5 1/2%
Yen:	5 1/2%-5 1/2%	5 1/2%-5 1/2%	5 1/2%-5 1/2%	5 1/2%

GOLD AND PRECIOUS METALS (Gold & Silver)

Gold: Open \$350.00-350.50 Close \$350.10-350.50 High \$351.00-351.50 Low \$349.50-349.50
Silver: Open \$5.00-5.05 Close \$5.00-5.05 High \$5.05-5.10 Low \$4.95-4.95
Platinum: \$350.00-350.50 Silver: \$4.11-4.12 Platinum: \$350.00-350.50

OTHER STERLING RATES DOLLAR SPOT RATES

Argentina austral*	1729.00-1729.50	Ireland	1.5820-1.5830
Australia dollar	2.2500-2.2504	Malaysia	1.7805-1.7810
Bahian dollar	0.8820-0.8825	Myanmar	2.7220-2.7230
Brunei dollar	0.74-0.7410	Nepal	1.2710-1.2715
Cyprus pound	0.71-0.7120	Sweden	1.1594-1.1595
Dinar marks	0.5875-0.5875	Switzerland	0.9270-0.9270
East German mark	0.71-0.7120	Taiwan	0.9270-0.9270
Hong Kong dollar	1.0525-1.0532	West Germany	0.9270-0.9270
Indian rupee	36.46-36.56	Yugoslavia	1.8870-1.8880
Israeli sheqel	6.71-6.7120		
Malaysian ringgit	4.8132-4.8178		
Mexican peso	51.75-51.75		
New Zealand dollar	2.9528-2.9528		
Saudi Arabia riyal	5.4375-5.4375		
Singapore dollar	0.71-0.7120		
Sri Lanka rufi	5.8795-5.8795		
Sri Lanka rufi	4.8430-4.8440		
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COMMODITIES

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BP has developed a spray that puts out fires in seconds and would be a lifesaver in planes and Channel tunnel trains. Nigel Hawkes reports

Water jet could make flying safer

A water spray system developed by British Petroleum scientists has successfully extinguished a petrol fire in four seconds, using only a tiny amount of water.

A pool of two gallons of petrol was set on fire and allowed to reach its full burning temperature before just over two and a half pints of water was used to put the fire out.

The ensuing demonstration showed how a spray of droplets of a controlled size can douse fires quickly using remarkably small amounts of water. Experts from BP showed off the system for the first time at an exhibition at the Royal Society last week.

The technology has obvious potential applications in aircraft and in the Channel tunnel trains, where the need to carry only small amounts of water would be a great advantage. Little more than two years before the trains are due to go into service, Eurotunnel has still to make up its mind which fire control system to install.

The BP system, developed at the company's research centre at Sunbury, Surrey, draws on experience in designing nozzles for atomising oil for boilers.

The nozzle, which has been widely patented, uses a flow of air to shear the water flow, breaking it up into a fine mist of water



On test: a firemen hoses down a fierce aircraft fire while inside the BP sprinkler system keeps the passenger area cool until rescue arrives

particles of a size calculated to put out fires as quickly as possible. The mixing chamber of the nozzle, where the spray is created, can be tailored for different applications. The droplet size, throw and coverage of the spray are the keys to the device's effectiveness. Dr Panos Papavergos, of BP Research, says that if the droplets are

too small they are immediately turned into steam before they reach the heart of the fire. If they are too large, they go right through the flame, splashing fuel around and making the fire spread.

The spray is driven by a canister of compressed air, which is both for creating the right droplet size and for directing the spray

right into the heart of the fire. In aircraft fires where fuel is burning outside the aircraft, the water spray can create conditions inside in which passengers could survive until fire engines can reach the fire and put it out.

Tests by BP and the Civil Aviation Authority (CAA) show that water sprays can reduce

temperatures, strip out the dangerous smoke and absorb gases, creating three minutes' survival time. Many lives might have been saved if the British Airways jet that burst into flames on the runway at Manchester airport in 1985 had been equipped with such a system.

BP is not the only company

looking at water spray systems. Aim Aviation, Darcey Engineering and Kidde-Graviner have rival products under development, and progress will be discussed at a conference organised by the CAA at the end of this month. The authority considers the results so far to be "very promising", and the tests it has conducted show that aircraft interiors fitted with water sprays remain cool and would allow passengers to survive for long enough to provide them with a chance to escape.

Dr Papavergos believes that the BP system has clear advantages over deluge systems that are aimed at soaking everything with water. Although these techniques may stop seats from igniting they are less successful at protecting humans from becoming overheated.

The BP system lowers temperatures and creates a "safe haven" for passengers, Dr Papavergos says.

The CAA estimates that a water spray system would need a reservoir of 40 gallons of water on a narrow-bodied jet such as a Boeing 737, a weight penalty that is the equivalent of three passengers. Dr Papavergos says that the BP system is so economical with water that the same results could be achieved when carrying a smaller amount.

UPDATE

Strain hits the brain

PROLONGED stress can hasten brain cell deterioration and memory loss, a Kentucky university research worker has reported in the *Journal of Neuroscience*. Philip Landfield found stressed rats produced abnormal amounts of hormones, which damaged brain cells. In older rats the stress led to the death of brain cells, and this finding may be relevant to Alzheimer's disease.

A star is born

ASTRONOMERS using a British telescope in Hawaii have made the first direct observations of a star's birth. They found the object known as IRAS 4 was so young that it was surrounded by a dust and gas cocoon thicker than any previously seen around a star.

Too few journals

MORE than half the 2,500 research workers in a British Library survey said the academic journal coverage by libraries they used was inadequate, and 40 per cent feared this was holding up their research. The survey, the British Library says, confirms that academic library budgets are not keeping pace with book and journal costs.

Cold carrier

A HIGH-TECH cardboard box developed by Batelle Institute in Columbus, Ohio, carried frozen blood during the Gulf war without the need for refrigeration. The blood, cooled to minus 80C, was stored in a pack surrounded by frozen ethylene glycol and water, and then put in an insulated box. The boxes, costing \$150 (about £87), kept the blood below minus 40C for 48 hours, and may be useful for transplant organs, medicines or food.

Shock-beater

CELLTECH, the European biotechnology company, has developed an antibody for septic shock treatment. The antibody removes a substance called tumour necrosis factor, believed to be released into the bloodstream during septic shock. Septic shock is a frequently fatal condition characterised by blood poisoning and rapid bacteria proliferation.

RICK NYE

The author is winner of the best newcomer award in the UK Technology Press Awards, sponsored by The Times and Hewlett-Packard.

The pen that writes-off keyboards

Traditional computers may be on the way out with the arrival of on-screen handwriting



Writing on a screen: Eden Group's magnetic pen

COMPUTERS that can understand handwriting are on the way, and many experts believe they will outsell the personal computer. They are so new that they do not yet have an accepted name. Notepads, pen-based computers, active books and dynabooks are all used to refer to the same thing: a computer about the size of an A4 pad of paper, with a screen, an "on" switch and an electronic "pen" but no keyboard.

Put pen to computer and a dot appears under the nib. Move it, and it draws a line. Write in a big, childlike script and it transcribes every letter into neat typescript. Cross through errors and they are deleted. Want to add something? Arrow the position and a "writing pad" pops up to take the new text. Drawing is easier. Rough lines and circles are transformed into straight lines and perfect circles. Graphics and text can be mixed on a page. Some of the new computers will be able to send and

receive faxes. Almost every computer company in the world is poised to launch a pen-based computer. They include IBM, NCR, Atari, Apple, Compaq, Tandem, Wang, Sony and two British enterprises, the Active Book company, of Cambridge, and the Eden Group, a research and development company, in Wiltshire.

Hermann Hauser, the co-founder of Acorn, which developed the BBC Micro in the early Eighties, is the man behind the Active Book company. His product is aimed at business people wanting to use it while travelling and the many people who have not come to terms with keyboard-based personal computers. The Active Book, about 2in thick and the same size as an A4 page, will

allow users to compose letters or keep their electronic diaries updated by writing directly on to a 6in x 4in screen with an electro-magnetic pen. Users will also be able to call up the computer's contents from an index.

The electronic book, which is expected to cost about £1,300, will run for up to eight hours using a rechargeable Nicad battery and will also use the mains.

Eden's VPI 386 has a screen overlaid with invisible metal tracks, which detect the position of a magnetic pen. It can also send and receive faxes.

British computer companies have often lacked the funding to take on the giants. Eden is avoiding this by licensing its design to manufacturers. Several computer companies from the Far East and

Europe are signing licences, and products will be on sale by the end of the year.

For the buyer, the snag could be that two incompatible systems have been developed. IBM is following a similar route to Mr Hauser's by designing its pen-computer from scratch and using a system called Penpoint, developed by a Californian company, which shields users from the complexities of programming and file management. NCR is more concerned with seeking a way round the problem of limited software and believes the solution may lie with Pen Windows, a Microsoft program that recognises handwriting and will run on any IBM PC or compatible product. Eden hopes to offer both as options.

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The author is winner of the best newcomer award in the UK Technology Press Awards, sponsored by The Times and Hewlett-Packard.

Queen's Bench Division

Law Report May 16 1991

Queen's Bench Division

Bank notice overrides injunction

A and Others v B Bank (The Governor and Company of the Bank of England Intervening) Before Mr Justice Hirst [Judgment May 10]

A notice issued by the Bank of England under section 39(3)(a) of the Banking Act 1987 requiring the production of documents overrode a High Court injunction against the disclosure of the documents.

The existence of an injunction did not constitute a defence of "reasonable excuse" under section 39(1)(1) to the offence of failing to comply with a notice. The Bank of England should have unfettered and unimpeded scope, within the law, for the exercise of its public duty to regulate the activities of deposit-taking institutions.

Mr Justice Hirst so held in the Queen's Bench Division in a judgment given in open court after a hearing on May 10 on a summons issued by the defendants, B Bank, for directions as to whether they were at liberty to comply with a section 39 notice served by the Bank of England notwithstanding an injunction granted in favour of the plaintiffs, A and others, against the delivery up or disclosure to any third party of the same documents.

Section 1 of the Banking Act 1987 provides: "(1) The Bank of England... shall have the power conferred on it by this Act and the duty generally to supervise the institutions authorised by it in the exercise of those powers."

Section 3 provides: "(1) ... no person shall in the United Kingdom accept a deposit in the course of carrying on... a business which for the purposes of this Act is a deposit-taking business unless that person is an institution for the time being authorised by the Bank..."

Section 39 provides: "(3) The Bank may... (a) by notice in writing served on an authorised institution require it to produce... such information or documents as the Bank may reasonably require for the performance of its functions under the Act..."

Mr Trevor Phillips, QC and Mr Timothy Worthington for the plaintiffs; Mr Michael Beldam, QC and Mr Alan Wake for the defendants and Mr Gordon Langley, QC and Mr Thomas Keith for the Bank of England.

In April 1991 the Bank of England had served B Bank with a notice under section 39(3)(a) of the 1987 Act requiring them to produce the documents on the ground that they were reasonably required by the Bank of England for the performance of its functions.

B Bank, an authorised deposit-taking institution, was anxious to comply with the notice, but was concerned that compliance might breach the terms of the injunction. The Bank of England submitted that the notice overrode the injunction.

The plaintiffs also complained that the information which led the Bank of England to issue the section 39 notice became available to them as a result of a serious contempt of court committed by B Bank in moving files covered by the injunction to a Middle East state where the US Federal Reserve Board acquired access to them.

The plaintiffs and B Bank argued that the existence of the injunction constituted a "reasonable excuse" under section 39(1)(1) of the 1987 Act for non-compliance with the Bank of England notice.

The Bank of England supported its construction of section 39 by pointing out that section 38 obliged institutions to report large transactions including customers' confidential information. Section 40 gave the Bank a right of entry to obtain information and documents. In neither section was there an exception for reasonable excuse.

The basis for the section 39 notice by the Bank of England was information from the Federal Reserve Board indicating that the defendant had acquired control of one US bank holding company and two other US banks in violation of US law.

That information had led the Bank of England to question whether B Bank still fulfilled the statutory criteria for authorisation, including the requirement that directors, controllers and managers should be fit and proper to hold their positions.

Mr Beldam submitted that there was no basis for the issue of a section 39 notice, an exception to the prohibition contained in the injunction to the effect of "otherwise than pursuant to section 39 notice".

solicitor to comply with a notice from the customs and Excise seeking disclosure of documents acquired by him on discovery from the opposite party in litigation.

However, Mr Langley had submitted that the injunction was based on the relationship of confidence between B Bank and its customer and that that duty was overridden by the duty to comply with the law, as shown by *R v Inland Revenue Commissioners, Ex parte Taylor (No 2)* [(1989) 3 All ER 353].

Mr Langley submitted that it was clear from section 39 and from other sections of the Act, particularly Schedule 3 and section 38, that the Act overrode the duty of confidence. It must logically also override *inter partes* orders made on that basis.

As to section 39(1)(1) Mr Langley had relied on *dicta* of Mr Justice Ralph Gibson in *Bank of England v Riley (The Times November 1, 1990)* to the effect that "reasonable excuse" covered such matters as physical inability to comply with a requirement to produce documents arising from illness or accidental destruction of papers.

Mr Phillips had supported Mr Beldam's argument and maintained that the Bank of England could properly exercise its supervisory powers under the Act without breaching customers' confidences.

In his Lordship's view the public duty imposed on the Bank of England by section 1 of the 1987 Act was extremely wide, and its fulfilment might often face the Bank with situations where extremely urgent action was required.

He rejected the argument that the Bank would suffer no inconvenience if they had to apply to vary an injunction before they could set in motion the section 39 procedure.

It was manifest, on the basis of *R v Inland Revenue Commissioners, Ex parte Taylor (No 2)* and the cases therein cited, that the bank's public duty to comply with the notice overrode its relationship of confidence with its customer which was the basis of the original injunction.

An injunction did not qualify as a "reasonable excuse" for non-compliance with the notice. The situation envisaged by section 39(1)(1) seemed to his Lordship well illustrated by *Bank of England v Riley*.

Re an Enquiry under the Company Securities (Insider Dealing) Act 1985 [(1988) AC 669]. Lord Griffiths had given a wide meaning to the words "reasonable excuse" and the same words in section 39(1)(1) should also be interpreted widely. Mr Beldam had submitted.

under a section 39 notice, and according to the provisions of the reasonable excuse to the person on whom the notice had been served.

There was no ambiguity in the legislation which would require to be resolved in favour of the existing legal rights, as indicated by the Vice-Chancellor in *EMI Records Ltd v Spillane* (at p 973).

Section 39 did override the injunction, which should be interpreted as not prohibiting compliance with the section 39 notice.

His Lordship went on to consider a submission from Mr Phillips that the Bank of England's real purpose in issuing the notice was to obtain the documents for the Federal Reserve Board, and not for the purpose of exercising its own supervisory functions.

His Lordship found that standpoint to be the banking world of the 1990s. Clearly there was a Federal Reserve investigation afoot, based at least in part on documents obtained in the Middle East state. Clearly too the inference could be fairly drawn that it was a result of that information that the Federal Reserve Board alerted the Bank of England.

However, Mr Phillips was seeking in effect to draw a line down the centre of the Atlantic and to suggest that in some way the supervisory operations of the Federal Reserve Board and those of the Bank of England were separate and unconnected.

In fact, in the world of international banking today, supervisory authorities in various countries could, should and no doubt did regularly co-operate on matters of mutual supervisory concern.

His Lordship directed B Bank to comply with the section 39 notice.

He added that he could not too strongly stress the importance which should be attached to the Bank of England having, within the limits laid down by the Act and the general law, unfettered and unimpeded scope for the exercise of their most important public duties of regulation in the interests of the public, who were entitled to rely on the Bank to exercise those powers with integrity.

Solicitors: Berwin Leighton, Stephenson Harwood, Freshfields.

Regina v Birmingham City Council, Ex parte McKenna Before Mr Justice Kennedy [Judgment May 9]

A selection panel constituted for the purpose of interviewing and appointing a head teacher should not operate with less than its full complement of members since if it did not sit as constituted it did not amount to a selection panel. However, in the present case, relief would not be granted.

Mr Justice Kennedy so held in the Queen's Bench Division in refusing an application for judicial review brought by Marie McKenna, of the proposed appointment of a head teacher for Moor Green Junior School on February 6, 1991 by Birmingham City Council.

Miss Judith Beale for the applicant; Miss Cherie Booth for the council.

MR JUSTICE KENNEDY said that the six-member selection panel met on three occasions: first to consider the written applications; then to interview those originally selected (the long list interview); and the final meeting was to interview the candidates on the short list.

At the first meeting on February 1, 1991 it appeared that one panel member would not be able to attend on February 4, the date selected for the long list interviews, but the panel decided to proceed without her.

The applicant, who attended for a long list interview and was not short listed, claimed that the panel's decision to go ahead on February 4 with only five members was unlawful, so that even though all six members of the panel were present on February 6 when the final interviews took place, the selection procedure was invalidated to such an extent that it would be improper for the local authority to act upon that recommendation.

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Sub-tenant lost Rent Act protection

Bromley Park Garden Estates Ltd v George Before Lord Justice Farquharson and Lord Justice Beldam [Judgment April 26]

Where a head tenant surrendered his tenancy, which was not a statutory tenancy, before the expiry of a regulated sub-tenancy, the sub-tenant could not claim the protection of the Rent Act against the head landlord after the expiry of the sub-tenancy.

The Court of Appeal so held in a reserved judgment in dismissing an appeal by the tenant, Mr David Charles George, against the order of Judge Dobson on May 21, 1990 at Bromsbury County Court holding that the landlords, Bromley Park Garden Estates Ltd, were entitled to possession of the flat occupied by Mr George at 337C Brecknock Road, Lower Edmonton, London.

Mr Winston Roddick, QC and Mr Philip Reed for the tenant; Mr Robert Reid, QC and Miss Karen Lord for the landlords.

LORD JUSTICE BELDAM said that one of the arguments put forward on behalf of the tenant was that the periodic tenancy which he held of the flat, initially from Barclays Bank plc and subsequently from Folkard & Hayward Services Ltd, to whom the remainder of the lease was assigned, was a tenancy to which the Rent Act 1977 applied; that on surrender by Folkard & Hayward on December 22, 1989 of the remainder of the term the tenant's periodic tenancy continued but with the rights and obligations under its terms being transferred to Bromley Park Garden Estates.

Mr Roddick acknowledged that at first sight the Court of Appeal decision in *Cow v Casey* [(1991) 1 KB 474] required the court to reject that argument but he contended that that decision

preserve the ability to enforce the covenants and conditions of the sub-lease for the benefit both of the sub-lessee and the holder of the next vested right to the land but for the unexpired portion of sub-lease only, for the purpose was to preserve the same incidents and obligations as would have been affected by the original reversion had there been no surrender or merger.

In his Lordship's view the word "deem" in that context was not apposite to create the relationship of statutory landlord and tenant between the freeholder and the sub-lessee on the expiry of the contractual term.

LORD JUSTICE FARQUHARSON agreed.

Solicitors: Bolt Burdon, Illington; Hamlyn Slowe, Westminster.

MR JUSTICE HODGSON said that the 1965 Act had been passed to give effect to the provisions of the Convention on Load Lines 1966 (Cmnd 370). Where the terms of a statute

it had power to decide. His Lordship disagreed, because unless a selection panel sat as constituted, subject to the provisions as to members being replaced, it was not a selection panel.

However, relief would not be granted since, if the long list interviews were discounted, the fact remained that the selection panel met on two occasions and on February 6, with all members present, it interviewed such applicants for the post as it thought fit.

It was true that on February 1 it had decided also to interview the applicant and no doubt others who were on the long list, but as a result of what happened on February 4 it was clear that five members concluded that an interview with the applicant on February 6 was unnecessary.

Solicitors: The Bolton & Lee for Mr Ian W. Poole, Haywards Heath; Mr Stewart A. Dobson, Birmingham.

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Naughtiness no crime

A v Sharples The fact that a boy aged 11 ran away after throwing a brick at police could not of itself rebut the presumption that he was doing so innocently (capable of committing an offence).

Where the defendant was under 14 the court had to be satisfied so as to be sure that the child knew what he was doing was seriously wrong. A merely

naughty boy would run away even if what he had done was in no way criminal but merely

A commanding century by their captain and a hundred for Simmons makes it a good day for West Indies at Worcester

Botham has his hour before a fierce onslaught

By Alan Lee, CRICKET CORRESPONDENT

WORCESTER (West Indians won toss): West Indians have scored 376 for six wickets against Worcestershire

VIVIAN Richards may lose his composure more than he once did, and his eye and concentration may not be quite as sharp as they were, but any suggestion that the West Indies' captain is now in joyless decline must be revised after yesterday's masterful century at New Road.

He was in competition with a strong cast, in which his old pal Ian Botham bowled valiantly and skilfully and his opening batsman Phil Simmons scored a very English century. But Richards played them all off the stage, batting with such fluency and power that his 111th century occupied little more than two hours and his dismissal, having made 131 in 153 balls, was more the batsman standing down than the bowler defeating him.

Batting all day, West Indies, even without the injured Haynes, established a foundation for the first of the nine wins they must secure against the counties to qualify for a £50,000 bonus from the sponsors, Tedley Bitter.

Each of the leading characters dominated a session, and the first belonged to Botham. He is, as Ted Dexter was saying the other day, on the burly side, but his match-fitness, which is all that matters, cannot be questioned. He grabbed the ball at start of play and did not relinquish it until lunch-time, by which he had taken two for 40 in 18 overs of thoughtful swing and seam.

This is far from the Botham

of old, charging in with hair, adrenalin and outrageous good fortune all flowing for him. If that was off-the-peg hostility, this is made-to-measure precision, and if it lacks the excitement of his younger days it is still a credit to a man who has refused to allow the years to weary him.

He began with three consecutive maidens, the third containing a raucous low shout against Simmons, who then edged him just short of slip. This was the closest he was to come to the wicket of a man whose height and front-foot methods should serve him well in this country. But while Simmons survived to prosper, Botham still gained deserved reward.

Greenidge, whose tenure may eventually be under threat this summer, mistimed a drive to extra-cover and Richardson, never yet a force on English pitches, was deceived by outswing and caught at first slip.

Simmons was at his best either side of lunch, stretching forward to drive the quicker bowlers and leaning back to cut square or late when Illingworth's length failed him. Lara, too, played some pleasant strokes but when he was bowled by the first ball of a new spell from Newport, neither forward nor back, the entertainment stepped up a gear.

Richards was off the mark second ball with a toe-end four through cover, aimed closer to mid-on. If it was not the only false shot he played, it was one of precious few, and when Botham beat him outside off stump just before tea it was enough of a rarity to have the

crowd gasping and the bowler, who had not stopped chatting, joking and laughing all day, beating himself in frustration.

There was an air of patient determination about Richards but when Lampitt dropped short, or Newport overpitched on leg stump, he was merciless in his punishment. If England seek a consolation it is that he made only one century on the last tour here in 1988, and that was also in the opening match.

Illingworth at length bowled Simmons round his legs after the two had doubled the score but Richards's response was to whip Lampitt into the pavilion at mid-wicket, then to drive Illingworth over the screen into the school field. Botham playfully pointed him towards the more challenging hit, into New Road, but after another stream of savage shots, Richards departed, doffing his cap to the large crowd as he went.

Dujon failed to score, Richards declined to declare and the day ended as it had begun, Botham bowling tightly and, now, signalling graphically for a hot bath to be run.

WEST INDIES: First Innings
C G Greenidge c Lampitt b Botham 38
P V Greenidge c Lampitt b Botham 34
R B Richardson c Moody b Botham 6
S C Lara b Newport 26
T V A Richards c Illingworth b Newport 13
C L Hooper not out 27
J P J L Dujon c Barnes b Olliv 10
H A G Anthony not out 17
Extras (b 1, lb 4, nb 4) 9
Total (8 wickets) 376
18 A Allen, C A Walsh and B P Patterson to bat.

WORCESTERSHIRE: G J Lord, T S Currie, G A Hick, T M Moody, J A Nisbet, J Botham, G R Baines, R K Illingworth, P J Newport, G R Olliv, S R Lampitt.
Umpires: J H Hampshire and K E Palmer.

King Gooch, page 38



Familiar pose: Botham rears out an appeal for lbw during an impressive opening spell against the West Indians

Games team to give a hand

SENIOR Olympic officials flew into Johannesburg yesterday to work out the best way to spend \$2 million on upgrading South Africa's sporting infrastructure, which is aiming after decades of isolation.

The International Olympic Committee, pledged the cash in March as part of its bid to steer South Africa back into the world sporting community.

François Carrard, the IOC director, said that his delegation would hold talks with the Interim National Olympic Committee of South Africa (INOCSA), entrusted with the task of forging non-racial unity in sport.

"We are here to work out the needs of the country. We want to outline a programme of assistance," Carrard said. He declined to outline how the cash would be spent, but said that further details may be announced at the end of the delegation's two-day visit.

The aid package was announced during a break-through IOC visit in March after which South Africa was promised re-admission to the Olympics, if apartheid laws were scrapped and the country's rival sporting movements formed a single, non-racial entity.

INOCSA, headed by Sam Ramsamy, a longstanding anti-apartheid campaigner, was formed to achieve the unity goal. Ramsamy said he was pleased to welcome the IOC back and was optimistic that INOCSA was making good progress.

South African athletes, expelled from the Olympic since 1970, are hoping that the IOC conditions for re-entry can be met in time for a Springbok team to compete in next year's Barcelona Olympics.

Leading officials of the African athletics confederation will meet in Dakar, Senegal, this weekend to decide what stance to take on South Africa's possible comeback at the world championships in Tokyo in August.

Idol becomes a partner

COLUMBUS, Ohio — Steven Richardson, the European order of merit leader, will play with his boyhood idol, Jack Nicklaus, in the first two rounds of the Memorial Tournament starting in Muirfield Village, here today (Andrew Both writes).

Richardson, the lone European in a field that includes Eduardo Romero, of Argentin-

ina, the Spanish Open champion, tees off with the tournament host, Nicklaus, and Hal Sutton, the 1983 US PGA champion.

The Lee-on-Solent, Hampshire, golfer arrived here on Tuesday without his clubs, which went on to Houston before being returned later in the day in time for Richardson to prepare for his American

debut in a tournament that includes 11 of the leading 20 players on the Sony World Rankings, most notably the defending champion, Greg Norman, who returns after a four-week break.

Stephen Hamill is planning to follow the route taken by his fellow Ulsterman, David Feherty, to success on the European tour by making a determined challenge for the 250,000 Smurfit Irish Professional Championship, which starts at Woodbrook, near Dublin today.

Hamill, winner of the European Under-25 championship in 1989, believes that home terrain offers the best chance of another breakthrough. "Opportunities on the European tour don't come very often for guys like me," he said.

Wins in the Irish championship in 1980 and 1982 provided Feherty with the confidence which is likely to lead to Ryder Cup honours this year.

Des Smyth, the defending champion, will be looking for his fifth title despite tendon damage to his right wrist. The problem arose during the Spanish Open last weekend and has required physiotherapy treatment.

Hagi discounts possibility of Everton transfer deal

GHEORGHE Hagi, the Real Madrid midfielder player, yesterday dismissed the suggestion that he was shortly to join Everton.

Howard Kendall, the Everton manager, travelled to Madrid on Sunday to open negotiations about a £1.5 million deal involving the Romanian international.

"A move to England does not interest me because it would not suit my style of play," Hagi said. "I want to stay in Spain and fulfil my contract with Real Madrid."

Cardiff City players have rejected the idea of the club going part-time in an attempt to cut costs.

The captain, Roger Gibbins, said the thought of a club like Cardiff going part-time "doesn't bear thinking about", after the chairman, Tony Clemo, warned of the possibility as the Ninian Park club is losing £5,000 a week.

Luton Town staff arrived for work yesterday to find the ground daubed with slogans protesting about the sacking of the manager, Jim Ryan.

Walls of the Kenilworth Road stadium and an old coach used to take players to the training ground were

daubed with "Nelson Out" in a reference to the chairman who dismissed Ryan over a "clash of personalities".

Luton Town Supporters Club spokesman Tom Hunt said: "People are pretty angry about what has happened this week. We were all delighted and celebrating on Saturday night when Jim Ryan kept Luton in the first division."

"We were shocked and disappointed when he was sacked."

Sheffield United have put five of their first team squad on offer. The manager, Dave Bassett, is ready to sell the central defender, Mark Morris, a £175,000 buy from Watford two years ago, the goalkeeper, Phil Kite, the midfielder, Mark Todd, the forward, Peter Duffield and the winger, Paul Wood, who cost £80,000 from Brighton and Hove Albion last year.

New contracts have been offered to the forward, Tony Agana, the left-back, David Barnes, and the club's three long-term injured players, Brian Smith, Julian Winter, and Cliff Powell.

Bassett said he did not wish to sell Morris or Kite but they wanted first team games, which could not be guaranteed at Bramall Lane.

Stoke City has ordered by the Football Association to submit a report on a pitch invasion which halted the home game against Grimsby Town on May 4.

The match was held up for 15 minutes when hundreds of Stoke fans charged across the Victoria Ground pitch towards the Grimsby supporters and had to be stopped by mounted police and dog handlers.

John Aldridge, the Real Sociedad forward, who was surprisingly omitted from the Republic of Ireland squad to face Chile in a Dublin friendly on May 22, has now been called up by manager Jack Charlton. The West Ham full back, Chris Hughton, has also been added to the squad.

Watford has won an appeal against disqualification from the South East Counties League Cup Final. The club's youth team were disqualified after it was discovered that they had fielded an ineligible player. The club said they had done so unknowingly.

They meet Tottenham Hotspur in a two-legged final in August or September.

Yugoslavia are still nervous

YUGOSLAVIA, the leaders of group four, look almost certain to reach the finals of the European football championship in Sweden next summer. Having started their qualifying campaign with four victories, Yugoslavia meet the Faeroe Islands, possibly the weakest team in the group, in Belgrade today.

The Yugoslavs are strangely ill at ease about the fixture, despite their apparently favourable position. Unnerved by a defeat against Denmark at home two weeks ago, Yugoslavia are taking no chances.

"After learning last year we would have to play the Faeroes, many people laughed," Ivica Osim, the Yugoslav coach, said yesterday. "Nobody is laughing now."

Although they had won earlier in Denmark, their 2-1 loss at home threw the group open again. On the same night, the Faeroes produced their second surprise result — in their first European championship campaign — by drawing 1-1

in Northern Ireland. Yugoslavia are three points ahead of Denmark but the Danes have a game in hand. Osim said they could afford no more mistakes. "Denmark are flying high now," he said. "We must win all the remaining matches to qualify, which may not be easy."

Against Denmark, we were simply over confident and arrogant. Nobody can beat us the way we can beat ourselves. Now, we must start all over again."

Osim, who said after the Denmark defeat that his players had behaved like spoiled stars, has dropped several regulars, including Mehmed Bazdarevic and Faruk Hadzibegovic, who play for Sochaux in France, and Davor Zovic, of Cesena.

Although the Faeroes have no chance of qualifying for the finals, they have gained confidence from their amazing victory over Austria and the draw with Northern Ireland. Their coach, Paul Goddardsson, warned: "We did not come here as tourists."

A steely resolve that serves club and town well

Gavin Bell revelled in Motherwell's one and only

Scottish FA Cup triumph in 1952. He has returned from South Africa to see if they can succeed again on their first final appearance for 39 years on Saturday

Scottish Cup final for the first time in almost 40 years.

A bairn yet, squirming on my mother's shoulders, I remember the euphoric pandemonium as the old town turned out to welcome home the heroes of 1952 at Motherwell Cross. My father says the celebrations were bigger than VE day, and I believe him.

When the claret and ambers take the field against Dundee United at Hampden Park, Glasgow, on Saturday, all of Lanarkshire and much of the west of Scotland will be willing them to victory. If they upset their more fancied rivals, it will be a storybook end to the season for the club.

James Armstrong, the provost, said: "That semi-final victory has produced a kind of magic spell over

the area. Crowds lining up for hours, orderly and with good humour to buy tickets, epitomised the spirit around the town. Good sportsmanship, however, is the order of the day and we look forward to a good game. This is an occasion for pride, whatever the result."

After languishing near the foot of the Scottish League premier division for years, Motherwell knocked out the holders, Aberdeen, 1-0 in the third round at Pittodrie. A characteristic stumble against lowly Morton, settled finally by a penalty shoot-out, was atoned by the stirring 4-2 replay triumph against Celtic.

Bobby Jenks, the chief scout, attributes the transformation to talented development of local talent — almost half the team have come through the ranks of Mother-

well youth teams. Ian Ferguson, a forward signed from Heart of Midlothian for a modest £100,000, is its most expensive acquisition.

"Confidence is high in the camp," Jenks said. "We're at full strength, and the boys will be playing their hearts out for the town."

In the player's lounge, adorned with huge good luck cards from local schools and churches, a high-spirited card game is in progress. Tom Boyd, locally born and the team's captain, is quietly confident. "We're on a good run, and we're the team in form, but I think one goal will probably decide it — for us, of course."

The event is being billed as the "family final", not least because the Motherwell manager, Tommy McLean's elder brother, Jim, is the Dundee United boss. The SFA has designated Hampden's north enclosure a family area for supporters of both clubs, where adults must be accompanied by children.

Motherwell's allocation of 24,500 tickets was sold out in four days. Th-

club secretary, Tom Dick, admits he kept a few up his sleeve for friends and relatives, but now his sleeves are empty.

Shop windows are full of supporters' regalia and, as if anybody needed directions, signs pointing the way to Hampden.

In the New Century Bar, near the Fir Park football ground, a steelworker, William Nicol, nurses a pint of heavy after an eight-hour shift and muses on the fate of the town: "It'll be back to harsh reality next week, you never know who's for the shop next, but Saturday will be a grand day out."

Greater dreams are being quietly nurtured of European competition for the first time in the club's 105-year history. But for the present, Motherwell is picking itself up by its tattered boot-laces and marching to Hampden with the same steely resolve that launched a thousand ships. Taysiders are duly warned.

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